

SEVENTEENTH DAY

(Continued)

(Tuesday, October 10, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

INVITATION TO MEMBERS OF THE HOUSE

The Speaker laid before the House, and had read, the following invitation to the Members of the House of Representatives:

Dallas Chamber of Commerce

Dallas, Texas, October 9, 1933.

Hon. W. T. Savage, House of Representatives, Austin, Texas.

Dear Sir: Enclosed please find official invitation to the Members of the House of Representatives to be our guests for luncheon on Thursday, October 19.

We will appreciate it if you will extend this invitation to the Speaker and Members of the House.

Please instruct each individual Member to notify us if they expect to be present so we can make the proper arrangements.

Yours sincerely,

BEN CRITZ,

Vice-President and General Manager.

Dallas Chamber of Commerce

Dallas, Texas, October 9, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives, Austin, Texas.

Dear Sir: The Dallas Chamber of Commerce wishes to extend to you and the Members of the House of Representatives a cordial invitation to be our guests for luncheon at the Adolphus Hotel, Thursday, October 19, after which you can enjoy the Fair.

Also in the evening of that date, as you know, Vice-President Garner and Postmaster General Farley will be in Dallas and speak at the Fair grounds.

Cordially yours,

R. L. THORNTON,

President.

On motion of Mr. Reader, the House accepted the invitation.

Mr. McKee raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Van Zandt moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Van Zandt, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

On motion of Mr. Mathis, the call of the House was extended to 12 o'clock m., today.

The roll of the House was called, and the following Members were present:

Mr. Speaker.	Ford.
Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Golson.
Alsup.	Good.
Anderson.	Goodman.
Baker.	Graves.
Barrett.	Greathouse.
Barron.	Griffith.
Beck.	Hankamer.
Bedford.	Harman.
Bourne.	Harris.
Bradley.	Head.
Burns.	Hester.
Butler.	Hicks.
Calvert.	Hill of Brazoria.
Camp.	Hill of Webb.
Canon.	Hodges.
Cathey.	Holekamp.
Caven.	Holland.
Celaya.	Holloway.
Chastain.	Huddleston.
Clayton.	Hughes.
Colson.	Hunt.
Coombes.	Hunter.
Cowley.	Hyder.
Crossley.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunagan.	Kayton.
Duvall.	Kyle of Hays.
Dwyer.	Kyle of Palo Pinto.
Engelhard.	Laird.
Fain.	Latham.
Few.	Lemens.
Fisher.	Leonard.

Lindsey.	Rogers of Hunt.
Long.	Rogers
Lotief.	of Ochiltree.
Mackay.	Rollins.
Magee.	Ross.
Mathis.	Russell.
McCullough.	Savage.
McDougald.	Scarborough.
McGregor.	Scott.
McKee.	Shannon.
Merritt.	Shults.
Metcalfe.	Smith.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Stovall.
Morse.	Stubbeman.
Nicholson.	Sullivant.
Palmer.	Tarwater.
Parkhouse.	Tennyson.
Patterson.	Thomas.
Pavlica.	Tillery.
Pope.	Townsend.
Puryear.	Turlington.
Ramsey.	Van Zandt.
Ratliff.	Vaughan.
Ray.	Wagstaff.
Reader.	Walker.
Reed of Bowie.	Weinert.
Reed of Dallas.	Wells.
Renfro.	Winningham.
Riddle.	Wood.
Roberts.	Young.

Absent

Dunlap.	Johnson
Hartzog.	of Anderson.
Hoskins.	Jones of Atascosa.
	Munson.

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

The Speaker announced a quorum present.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, by unanimous consent, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Rogers of Ochiltree:

H. B. No. 209, A bill to be entitled "An Act authorizing the State Board of Education in certain instances to issue and sell deficiency certificates bearing interest at a rate of not more than 4 per cent per annum from issuance until same are called for payment against the State Available School Fund; regulating and limiting

the issuance and sale of such certificates; providing that certificates issued under the provisions of this Act shall be drawn upon the State Treasurer by the State Comptroller, and shall be countersigned by the State Treasurer and the President of the State Board of Education; etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Sullivant:

H. B. No. 210, A bill to be entitled "An Act granting permission to the Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas, upon a purported contract; fixing venue; making an appropriation to cover the expenses of the Attorney General in defending such suit; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Harrison et al.:

H. B. No. 211, A bill to be entitled "An Act relieving persons, firms, associations, and corporations, engaged in selling or furnishing water for irrigation, from all obligations, except contractual obligations, to furnish water for irrigation of rice crops in violation of any agreement made or hereafter entered into between such persons, firms, associations, and corporations and the Secretary of Agriculture of the United States of America pursuant to and under the terms of an Act of Congress entitled 'The Agricultural Adjustment Act,' approved May 12, 1933, and any amendments thereto, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Bradley, Mr. Morse, Mr. Holland, and Mr. Mathis:

H. B. No. 212, A bill to be entitled "An Act to amend Article 1109-a, of the Revised Civil Statutes of 1925, of the State of Texas, passed by the Thirty-ninth Legislature, Acts of 1925, and known as House Bill No. 477, said Act being an Act entitled 'An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water systems, and additions, extensions, and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue

bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same, and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers, and limiting the manner of their exercise; providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor, to make sale on default in payment; etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Hartzog:

H. B. No. 213, A bill to be entitled "An Act for the purpose of opening the waters of Lavaca Bay in Calhoun County, Texas, for shrimp trawling, during the months of September, October, November, and December of each year; opening Powder Horn Lake, in Calhoun County, Texas, for seining, during the months of December, January, and February of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Mitcham:

H. B. No. 214, A bill to be entitled "An Act authorizing the commissioners court in any county having a population of not less than 30,550 and not more than 30,600, according to the last preceding United States Census, to allow each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business; etc., and declaring an emergency."

Referred to Committee on Counties.

SENATE BILL NO. 46 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as pending business, on its passage to third reading,

S. B. No. 46, A bill to be entitled "An Act creating and establishing an official public agency of the State of Texas, the official title of which shall be 'Texas Employment and Relief Commission,' and designating the membership thereof, and prescrib-

ing the duties of said Commission; authorizing the issuance of \$7,500,000 in bonds under authority of Section 51-a, Article III, of the Constitution of the State of Texas, and providing the method of issuance, the sale and distribution of the proceeds arising from the sale thereof; designating the commissioners courts of the several counties in Texas as public agencies in connection with the distribution of said funds, and designating the governing boards of cities and towns as public agencies for the purpose of distributing said funds; defining the duties of the county commissioners and other persons delegated to act in conjunction with the Texas Employment and Relief Commission and the commissioners courts; defining the purposes for which said money may be expended, and defining the terms and conditions thereof; authorizing the employment of an executive secretary and other assistants; fixing salaries, and requiring department heads and other State employes to render assistance in connection with the distribution of the funds; making it an offense to embezzle, misapply, or convert said funds; repealing House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature at its Regular Session, which created the Texas Rehabilitation and Relief Commission, and declaring an emergency";

The bill having been read second time on yesterday, with committee amendment by Mrs. Hughes pending.

Mr. Fain offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by striking out Section 7, page 5, and substitute in lieu thereof the following:

"Section 7. The principal and interest on all bonds issued under the terms of this Act shall be paid and redeemed in the following manner: When bonds are issued the Treasurer of the State of Texas shall open up and keep a special account to be known as 'Texas Relief Bond Sinking Fund.' As and when he receives money for the use and benefit of the General Revenue Fund of the State of Texas and derived from taxes authorized and imposed by Chapter 116, Acts of the Regular Session of the Forty-third Legislature or any amendments thereto, known as House Bill

No. 122, being the Act regulating the manufacture, sale, distribution, disposition, storage, and transportation of vinous or malt beverages, he shall credit the funds so derived to said Texas Relief Bond Sinking Fund.

In addition thereto the State Treasurer, as and when he receives any and all money obtained for the use and benefit of the General Revenue Fund of the State of Texas, other than by means of a tax upon real or personal property, shall credit one-twentieth (1/20) of said sums of money so received to the credit of said Relief Bond Sinking Fund until such time as said fund shall be sufficient to pay off and discharge the principal and interest that will become due and payable on said bonds during the then current fiscal year. When said fund is sufficient to meet the principal and interest requirements for the current fiscal year no further appropriations shall be made except the revenue accruing under said House Bill No. 122 aforesaid; it being the intention of the Legislature to set apart and preserve a fund sufficient to pay off and discharge the principal and interest of said obligations as and when the same become due and payable. For the fiscal years ending August 31, 1934 and 1935, there is hereby appropriated out of said Texas Relief Bond Sinking Fund an amount equivalent to the amount of all interest and principal that will accrue on outstanding bonds during each of said years, and the State Treasurer is hereby directed to make payment of said interest as it matures out of any fund in the State Treasury to the credit of said Texas Relief Bond Sinking Fund."

The amendment was lost.

Mr. Camp offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 46, Section 11, Subsection 10, page 10, by adding after paragraph 1, a new paragraph, to read as follows:

"The Texas Rehabilitation and Relief Commission is hereby authorized to use not more than one per cent (1%), or so much thereof as may be necessary, of the proceeds of the Texas relief bonds for the payment of hospital bills. Provided, however, that such hospital bills shall not be in excess of two dollars and fifty

cents (\$2.50) per day per patient. Such hospitalization shall be authorized only in emergency cases where special attention is essential to the preservation of life and such care cannot be adequately administered in the homes of the patients or in the doctors' private offices. Provided that no funds shall be used in counties having either county or city hospitals."

CAMP,
PARKHOUSE.

The amendment was adopted .

Mr. Leonard offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by striking out the words "and approved," in line 16, of Section 4, on page 9, of the mimeograph copy, and adding the following: "And immediately upon the appointment of one or more members of the county board of welfare and employment by the commissioners court, said member or members shall take their places on said county board of welfare and employment and discharge the duties of said board, pending approval of them by the Texas Rehabilitation and Relief Commission."

The amendment was adopted.

Mr. Russell offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding after the word "compensation," in line 6, Section 4, page 9, the following: "At the first meeting of the county board of welfare and employment the members of said board shall select one of their members as chairman and one as secretary."

The amendment was adopted.

Mr. Fain offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding after the word "Act," on page 12, line 14, of the substitute, the following: "The wage be paid shall not exceed the prevailing customary wage in the immediate locality for the character of the work done."

FAIN,
AIKIN,
CANON,
HARRIS.

Mr. Van Zandt moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—42

Adamson.	Moore.
Baker.	Pavlica.
Cathey.	Pope.
Caven.	Ratliff.
Celaya.	Ray.
Crossley.	Reader.
Dean.	Reed of Dallas.
Engelhard.	Rogers
Few.	of Ochiltree.
Fisher.	Rollins.
Golson.	Savage.
Goodman.	Scarborough.
Hankamer.	Shannon.
Head.	Smith.
Hicks.	Stanfield.
Hill of Brazoria.	Stovall.
Holekamp.	Tarwater.
Hughes.	Townsend.
Hunter.	Van Zandt.
Lemens.	Wells.
Mathis.	Wood.
McCullough.	

Nays—65

Aikin.	Leonard.
Alsup.	Lindsey.
Barrett.	Lotief.
Bedford.	Mackay.
Bourne.	Magee.
Calvert.	McGregor.
Camp.	Merritt.
Canon.	Mitcham.
Coombes.	Morrison.
Cowley.	Palmer.
Daniel.	Parkhouse.
Davidson.	Puryear.
Devall.	Reed of Bowie.
Dunagan.	Riddle.
Dwyer.	Roberts.
Fain.	Rogers of Hunt.
Fuchs.	Ross.
Glass.	Russell.
Greathouse.	Scott.
Griffith.	Shults.
Harris.	Steward.
Hartzog.	Stinson.
Hester.	Stubbeman.
Hill of Webb.	Tennyson.
Hodges.	Thomas.
Huddleston.	Tillery.
Hunt.	Vaughan.
Jackson.	Wagstaff.
Jones of Runnels.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Winningham.
Laird.	Young.
Latham.	

Absent

Alexander.	James.
Anderson.	Jefferson.
Barron.	Johnson
Beck.	of Anderson.
Bradley.	Jones of Atascosa.
Burns.	Jones of Shelby.
Butler.	Kayton.
Chastain.	Long.
Clayton.	McDougald.
Colson.	McKee.
Dunlap.	Mettcalfe.
Duvall.	Moffett.
Ford.	Morse.
Good.	Munson.
Graves.	Nicholson.
Harman.	Patterson.
Holland.	Ramsey.
Holloway.	Renfro.
Hoskins.	Sullivant.
Hyder.	Turlington.

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

Question next recurring on the amendment by Mr. Fain, it was adopted.

Mr. Tennyson offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding, at the end of the first paragraph of Section 10, page 10, the following: "It shall be the duty of the county boards of welfare and employment to keep a list of citizens of the county who desire to employ labor. At any time a person on the relief rolls, physically able to work, is offered employment at the prevailing wage scale in the locality where the work is to be performed, and refuses to accept same without good cause, it shall be contrary to law to issue further aid to said individual. It shall be the duty of the county administrator to keep a permanent record of all persons refusing employment."

TENNYSON,
CAMP,
HARRIS.

The amendment was adopted.

Mr. Lindsey offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by striking out all of Subsection 3, of Section 11, and Subsection 3 shall read as follows:

"(3). The Texas Rehabilitation and Relief Commission shall be composed of nine (9) members as follows: The Lieutenant Governor, the Speaker of the House, the Comptroller of Public Accounts, the State Treasurer, the Attorney General, the Chairman of the Highway Commission, the Chairman of the Board of Control, the Banking Commissioner, and the State Health Officer, and their successors in offices. The Chairman of said Commission shall be elected from among the membership of said Commission, and the Commission shall elect from its members a secretary, who shall keep a record of all matters and be responsible therefor. It shall be the duty of the Commission to determine the amount of funds necessary for its purposes in carrying out this Act, which are to be supplied by the Federal Government in supplementing the State funds provided herein and shall make request of the Governor of the State of Texas to make application to the administrator according to the terms of the Federal Emergency Relief Act of 1933, and it is hereby made the duty of the Governor to make such application as provided in said Federal Emergency Relief Act of 1933. The Commission shall make a full and complete report of all expenditures made under the authority of this Act monthly to the Governor, and it is hereby made the duty of the Governor to transmit immediately such reports to the proper Federal authorities, as required under the Federal Relief Act of 1933. The Commission herein provided for are hereby made the successors of the members of the present Texas Rehabilitation and Relief Commission, created by the terms of House Bill No. 897, Chapter 141, Acts of the Forty-third Legislature, Regular Session.

"The members of the Commission shall serve without pay, but they shall be reimbursed for the necessary expenses in attending upon the meeting of such Commission. The Commission, by a majority vote of all the members thereof, shall appoint a Director for said Commission, whose salary shall be fixed by the Commission, and who shall be subject to removal at any time by a majority vote of all the members of the Commission. The present Director shall continue in office until his successor is appointed, subject to the approval of the Commission. The Director

shall appoint such employes as are necessary to carry out the provisions of this Act at salaries not to exceed those being paid by the State of Texas to employes performing similar duties in the State departments."

Mrs. Hughes moved to table the amendment.

The motion to table prevailed.

Mr. Burns offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding a new Section to be numbered —:

"Section —. Provided when any person is employed to work under the provisions of this bill they shall be paid off in cash."

BURNS,
DUNAGAN.

On motion of Mr. Van Zandt, the amendment was tabled.

Mr. Stinson offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, Section 4, page 9, line 14, by changing the period to a semicolon following the words "Relief Commission," and adding the following: "And the salaries of said administrator shall be fixed by the State Director, and the salaries of the other county employes shall be approved by the State Director."

The amendment was adopted.

Mr. Long offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding a new Section, to be known as Section 4-a.

"Section 4-a. If the State should default in payment of interest or principal on said bonds, the holder of said bonds shall have the right to sue the State for the amount of interest or principal in default."

(Mr. Walker in the Chair.)

On motion of Mr. Van Zandt the amendment by Mr. Long was tabled.

Mr. Lotief offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, page 11, Section 13, by inserting the following between

the first and second sentences: "Furthermore, the county boards of welfare and employment shall have the authority to permit taxpayers to work out their per capita road taxes up to an amount not exceeding five dollars (\$5) per year, and the said boards shall have the authority to pay them as much as thirty cents (30c) per hour in payment of their road taxes, although the laws of the different counties may require them to work for sums of less than thirty cents (30c) per hour. The money paid for this work shall be turned over to the county commissioners of the respective precincts, and these commissioners shall in turn use the money for further employment."

LOTIEF,
GLASS.

On motion of Mr. Van Zandt, the amendment was tabled.

(Speaker in the Chair.)

Mr. Lotief offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding the following: "No officer of any chamber of commerce shall be eligible to serve on Rehabilitation and Relief Commission, or receive any funds or pay."

Mrs. Hughes raised a point of order on further consideration of the amendment by Mr. Lotief, on the ground that the amendment violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Lotief offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding the following, and re-number sections accordingly:

"Section 1. Each person who is engaged in the business or business activity of producing or importing natural gas in this State shall make to the Comptroller of the State of Texas, on or before the twenty-fifth day of January, April, July, and October, of each year, a report under oath of such person showing the total amount of such natural gas produced or imported by such person during the calendar quarter preceding the first day of the month during which the report

is required to be filed, and the disposition made of such gas. Such report shall be made on the form or forms provided by the Comptroller of Public Accounts of the State of Texas, and shall show the disposition made of such gas, and shall contain such other and further information as called for in such form or forms which may be applicable in calculating the tax due under this Act. Each such person shall pay to the Treasurer of the State of Texas, for the calendar quarter beginning the first day of the month during which the report is required to be filed, an occupation tax in an amount to be calculated as follows:

"(a) After first making deduction as hereinafter provided, one-half ($\frac{1}{2}$) cent for each 1,000 cubic feet of natural gas produced which is transported, sold, or delivered for use as light or fuel or utilized by such person for light or fuel.

"(b) Each person subject to the tax provided for in this Act shall be entitled to deduct, as an exemption, 3,000,000,000 cubic feet from the total amount of the gross production for each such quarter before calculating the amount of the tax due, and each such person shall also have a right to deduct in a similar manner the amount of gas used by such person in connection with his own drilling and producing operations with respect to producing oil and gas in this State.

"Sec. 2. That Acts, 1931, Forty-second Legislature, Regular Session, page 111, Chapter 73, Section 3, be amended so as to hereafter read as follows:

"Section 3. A tax shall be paid quarterly by every person importing gas into this State on the amount of gas imported into the State after making such deductions as provided for in Section 1-b of this Act, upon the first sale thereof in interstate commerce upon the following basis: A tax equivalent to one-half cent ($\frac{1}{2}$ ¢) per one thousand (1,000) cubic feet on the total amount of gas produced and saved within this State, or sold if imported into this State."

"Sec. 3. Each person subject to the tax provided for in this Act shall make, keep, and preserve a full and complete record of all natural gas produced by him in this State during the time so engaged in its production and the disposition made thereof.

"Sec. 4. Any person failing to comply with Section 2 of this Act, with reference to keeping and preserving full and complete records, shall be subject to a penalty of not less than five hundred dollars (\$500) and not more than fifteen hundred dollars (\$1,500), payable to the State of Texas, and such penalty shall accrue for each ten (10) days of failure to comply with the provisions of Section 2 of this Act.

"Sec. 5. Any person failing to make proper and accurate report for thirty days from the date when said report is required herein to be made shall forfeit and pay to the State of Texas a penalty of ten per cent (10%) of this amount of tax due for the quarter for which said report is required by law to be made.

"Sec. 6. Any person failing to pay any tax provided for herein within thirty days from the date when said tax is required herein to be paid shall forfeit and pay to the State of Texas a penalty of ten per cent (10%) upon the amount of such tax and also interest at the rate of six per cent (6%) per annum upon the amount of such tax and penalty from date when due and payable until paid.

"Sec. 7. The word 'person,' as used in this Article shall include a natural person, any combinations or associations of natural persons, receiver, trustee, executor, administrator, corporation, and person acting under declarations of trust. Each report to be filed with the Comptroller of the State of Texas shall be sworn to by the person producing the gas or by his duly authorized agent, officer, or representative.

"Sec. 8. For the occupation tax, penalties, and interest herein provided for, the State shall have a lien on any lease held, interest, ownership of gas rights or interest, or property owned by the person owing any tax herein provided for.

"Sec. 9. The term 'cubic foot of gas' is the volume of gas expressed in cubic feet and computed at a base pressure of four (4) ounces per square inch above the average barometric pressure of 14.4 pounds per square inch, a standard base and flowing temperature of 60 degrees Fahrenheit, correction to be made for pressure, according to Boyles Law, and for

specific gravity, according to test made by the Balance Method.

"Sec. 10. All laws inconsistent or in conflict herewith are hereby expressly repealed.

"Sec. 11. All monies collected from this bill shall be used to pay off and retire the State bonds, and interest on said bond, issued for relief purposes. And balance of said monies, if any, shall be left in State Treasury to credit of General Fund.

"Sec. 12. The fact that the producers of gas within this State are escaping the full measure of their tax burden and are placing upon the shoulders of the already overburdened taxpayers an extortionate and exorbitant price for their commodity creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule, requiring bills to be read on three several days in each House, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its final passage, and it is so enacted."

Mrs. Hughes raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Turlington offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, page 8, by striking out all of the first paragraph, of Section 3, and inserting in lieu thereof the following:

"Section 3. The Texas Rehabilitation and Relief Commission shall be composed of nine members selected by the three Judges of the Supreme Court of Texas. Said Commission, when so selected, shall select its own Chairman from among its members. The Commission shall elect from its members a secretary, who shall keep a record of all meetings and be responsible therefor."

TURLINGTON,
HESTER,
GRAVES.

Mr. Van Zandt raised a point of order on further consideration of the amendment at this time, on the ground

that it violates certain constitutional provisions.

The Speaker sustained the point of order.

Mr. Metcalfe offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, page 8, Section 3, by striking out all of the first paragraph of said Section, and substitute in lieu thereof the following:

"The Texas Rehabilitation and Relief Commission shall be composed of seven (7) members: The Lieutenant Governor, the Speaker of the House of Representatives, and their successors in office, one (1) to be appointed by the Governor, two (2) to be appointed by the Lieutenant Governor, and two (2) to be appointed by the Speaker of the House of Representatives. The Governor and his successors in office shall be ex-officio Chairman of said Commission, but shall not be entitled to a vote. Said Commission shall select its own Chairman, pro tempore, from among its members, who shall preside at all meetings in the absence of the Governor and also select a secretary from among its members."

METCALFE,
SHANNON,
HESTER,
WELLS.

Mr. Dunagan moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Metcalfe, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—43

Adamson.	Golson.
Aikin.	Harris.
Alexander.	Hester.
Barrett.	Hodges.
Bedford.	Holland.
Bourne.	James.
Bradley.	Jones of Runnels.
Camp.	Kyle of Hays.
Canon.	Lemens.
Caven.	Lindsey.
Coombes.	Magee.
Crossley.	Merritt.
Fain.	Metcalfe.
Fuchs.	Mitcham.

Rollins.
Ross.
Scott.
Shannon.
Shults.
Stinson.
Sullivan.
Tennyson.

Thomas.
Turlington.
Vaughan.
Walker.
Wells.
Winningham.
Wood.

Nays—67

Alsup.
Anderson.
Baker.
Barron.
Calvert.
Cathey.
Cowley.
Davidson.
Dean.
Devall.
Dunagan.
Duvall.
Dwyer.
Engelhard.
Few.
Fisher.
Glass.
Goodman.
Griffith.
Hankamer.
Hartzog.
Head.
Hill of Brazoria.
Holekamp.
Huddleston.
Hughes.
Hunter.
Kayton.
Kyle of Palo Pinto.
Long.
Lotief.
Mackay.
Mathis.
McCullough.

McDougald.
McGregor.
McKee.
Moffett.
Moore.
Morrison.
Morse.
Nicholson.
Palmer.
Pavlica.
Pope.
Purveyer.
Ratliff.
Ray.
Reader.
Reed of Bowie.
Reed of Dallas.
Renfro.
Rogers of Hunt.
Rogers
of Ochiltree.
Russell.
Smith.
Stanfield.
Steward.
Stovall.
Stubbeman.
Tarwater.
Tillery.
Townsend.
Van Zandt.
Wagstaff.
Weinert.
Young.

Absent

Beck.	Hyder.
Burns.	Jackson.
Butler.	Jefferson.
Celaya.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Jones of Shelby.
Daniel.	Laird.
Dunlap.	Latham.
Ford.	Leonard.
Good.	Munson.
Graves.	Parkhouse.
Greathouse.	Patterson.
Harman.	Ramsey.
Hicks.	Riddle.
Hill of Webb.	Roberts.
Holloway.	Savage.
Hoskins.	Scarborough.
Hunt.	

Absent—Excused

Harrison. McClain.
Johnson of Dimmit.

Mr. Beck offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, Section 4, page 9, by changing the words "commissioners court," in line 3, to "Texas Rehabilitation and Relief Commission," and by changing the words "Texas Rehabilitation and Relief Commission," in lines 4 and 5, to "commissioners court."

The amendment was lost.

Mr. Renfro offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46, page 8, Section 3, line 6, by adding after the word "Representatives" the words "provided that one member of said Commission shall be a member in good standing of organized labor, and one member shall be an ex-service man of the World War."

RENFRO,
GREATHOUSE.

Mrs. Hughes raised a point of order on further consideration of the amendment, on the ground that it is not germane to the bill.

The Speaker sustained the point of order.

Mr. Walker offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 46 by adding, at the end of Section 6, the following: "Provided that sixty per cent (60%) of the appropriations provided in this Act shall be allotted to the counties upon the per capita basis of population, as determined by the Federal Census of 1930. The remaining forty per cent (40%) shall constitute a discretionary fund for supplementary grants to the local relief agencies for either employment or dependency relief. These grants may be made dependent and contingent upon such factors as local needs for emergency relief, the amount of local contributions to share in carrying out the purposes of this Act, or other conditions as the Commission may, in its discretion, deem advisable to consider."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—47

Adamson.	Lemens.
Aikin.	Lindsey.
Alexander.	Lotief.
Baker.	Mitcham.
Bourne.	Moffett.
Canon.	Morrison.
Cathey.	Palmer.
Crossley.	Puryear.
Devall.	Ramsey.
Fain.	Reed of Bowie.
Fisher.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Ross.
Harris.	Scott.
Hester.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Holekamp.	Tillery.
Hunt.	Turlington.
Hyder.	Vaughan.
Jones of Runnels.	Walker.
Jones of Shelby.	Winningham.
Kyle of Hays.	Wood.
Latham.	

Nays—68

Alsup.	McCullough.
Anderson.	McDougald.
Barrett.	McGregor.
Beck.	McKee.
Bedford.	Metcalfe.
Calvert.	Moore.
Celaya.	Morse.
Colson.	Nicholson.
Coombes.	Parkhouse.
Cowley.	Patterson.
Davidson.	Pavlica.
Dean.	Pope.
Dunagan.	Ratliff.
Duvall.	Ray.
Engelhard.	Reader.
Few.	Reed of Dallas.
Good.	Renfro.
Goodman.	Roberts.
Greathouse.	Russell.
Griffith.	Savage.
Hankamer.	Shannon.
Hartzog.	Shults.
Head.	Smith.
Holland.	Stanfield.
Huddleston.	Steward.
Hughes.	Stinson.
Hunter.	Stovall.
Jackson.	Stubbeman.
Kayton.	Thomas.
Kyle of Palo Pinto.	Townsend.
Laird.	Van Zandt.
Long.	Wagstaff.
Mackay.	Weinert.
Magee.	Young.

Absent

Barron.	Holloway.
Bradley.	Hoskins.
Burns.	James.
Butler.	Jefferson.
Camp.	Johnson
Caven.	of Anderson.
Chastain.	Jones of Atascosa.
Clayton.	Leonard.
Daniel.	Mathis.
Dunlap.	Merritt.
Dwyer.	Munson.
Ford.	Riddle.
Fuchs.	Rogers
Graves.	of Ochiltree.
Harman.	Scarborough.
Hicks.	Wells.
Hill of Brazoria.	

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

The committee amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 46 was then passed to third reading.

SENATE BILL NO. 46 ON THIRD READING

The Speaker then laid Senate Bill No. 46 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Adamson.	Dunagan.
Alexander.	Duvall.
Alsup.	Dwyer.
Anderson.	Engelhard.
Barrett.	Fain.
Beck.	Few.
Bedford.	Fisher.
Burns.	Fuchs.
Calvert.	Glass.
Camp.	Golson.
Cathey.	Good.
Caven.	Goodman.
Celaya.	Greathouse.
Clayton.	Griffith.
Colson.	Hankamer.
Crossley.	Harman.
Davidson.	Harris.
Dean.	Hartzog.
Dunlap.	Head.

Hicks.	Puryear.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.
Holland.	Reed of Bowie.
Huddleston.	Reed of Dallas.
Hughes.	Renfro.
Hunter.	Roberts.
Jackson.	Rogers of Hunt.
James.	Rogers of Ochiltree.
Jones of Runnels.	Rollins.
Jones of Shelby.	Ross.
Kayton.	Russell.
Kyle of Palo Pinto.	Savage.
Laird.	Shannon.
Lemens.	Shults.
Lindsey.	Smith.
Long.	Stanfield.
Lotief.	Steward.
Mackay.	Stinson.
Magee.	Stovall.
Mathis.	Stubbeman.
McCullough.	Sullivant.
McDougald.	Tarwater.
McGregor.	Tennyson.
McKee.	Thomas.
Merritt.	Tillery.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Wagstaff.
Morse.	Weinert.
Nicholson.	Wells.
Palmer.	Winningham.
Parkhouse.	Wood.
Patterson.	Young.
Pavlica.	Van Zandt.
Pope.	

Nays—23

Aikin.	Hunt.
Baker.	Hyder.
Bourne.	Kyle of Hays.
Canon.	Latham.
Chastain.	Metcalf.
Coombes.	Mitcham.
Cowley.	Riddle.
Daniel.	Scarborough.
Devall.	Scott.
Ford.	Vaughan.
Graves.	Walker.
Hester.	

Absent

Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Holloway.	Leonard.
Hoskins.	Munson.
Jefferson.	

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 52, A bill to be entitled "An Act making an appropriation to reimburse growers and producers of cotton for expenses incurred during the years of 1929 through 1932, by reason of the establishment by the State of Texas of regulations requiring such growers and producers to pay for fumigation of cotton and sterilization of seed, and also to pay expenses of the Compensation Claim Board in carrying out the provisions of this Act; providing no claim shall be paid from this fund unless same has been allowed by the Compensation Claim Board or by judgment as provided in Chapter 111, Title 4, Revised Civil Statutes of Texas of 1925, and as provided in Chapter 42, Acts of the Regular Session, Forty-first Legislature; providing none of said fund shall be used to reimburse anyone for land not planted to cotton by order of the Pink Bool Worm Commission creating a non-cotton zone; providing that the certificate of the Chairman of the Board, approved by the State Commissioner of Agriculture shall be sufficient evidence to the Comptroller from which he shall audit the claims of persons, firms, and corporations, and members of the Compensation Claim Board for the issuance of warrants to cover the respective amounts; providing if any part of this Act is declared unconstitutional or invalid, it shall not affect the validity of the remainder; providing no money herein appropriated shall be paid for commissions or fees to any person for securing passage of this bill; providing if money herein appropriated is insufficient to pay the claims of all growers and producers in full, then it shall be prorated, and declaring an emergency."

S. B. No. 79, A bill to be entitled "An Act to amend Title 52 (eminent domain), of the Revised Civil Statutes of Texas, by adding Article 3264-b to follow 3264-a, defining the powers of the Board of Regents of The University of Texas when acting

as trustees of a trust for scientific, educational, philanthropic, charitable, or other public purposes, and to confer upon them the power of eminent domain, and declaring an emergency."

S. B. No. 94, A bill to be entitled "An Act to authorize the selection of school depositories for independent school districts created by the Legislature prior to January 1, 1920, in certain counties regardless of the scholastic population of said districts, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 23 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 23, A bill to be entitled "An Act for the continuation, for the control and prevention of malaria; prescribing the duties of the State Board of Health in reference thereto; making appropriation, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—84

Alexander.	Jones of Shelby.
Alsup.	Kayton.
Anderson.	Kyle of Hays.
Beck.	Kyle of Palo Pinto.
Bradley.	Laird.
Butler.	Latham.
Cathey.	Lemens.
Caven.	Long.
Celaya.	Mackay.
Colson.	Magee.
Crossley.	Mathis.
Davidson.	McCullough.
Dean.	McGregor.
Dunlap.	Metcalfe.
Duvall.	Moffett.
Dwyer.	Moore.
Few.	Morrison.
Fisher.	Morse.
Fuchs.	Nicholson.
Glass.	Palmer.
Goodman.	Parkhouse.
Greathouse.	Patterson.
Griffith.	Pavlica.
Hankamer.	Pope.
Head.	Ramsey.
Hill of Brazoria.	Ratliff.
Hill of Webb.	Ray.
Holekamp.	Reader.
Holland.	Reed of Dallas.
Hughes.	Riddle.
Jackson.	Roberts.

Rogers
of Ochiltree.
Rollins.
Ross.
Savage.
Shannon.
Smith.
Stanfield.
Steward.
Stinson.
Stovall.
Stubbsman.

Sullivant.
Tennyson.
Thomas.
Townsend.
Turlington.
Van Zandt.
Wagstaff.
Walker.
Weinert.
Wells.
Young.

Nays—29

Adamson.
Aikin.
Baker.
Barrett.
Bourne.
Calvert.
Camp.
Canon.
Coombes.
Cowley.
Fain.
Harris.
Hester.
Hicks.
Hodges.

Huddleston.
James.
Jones of Runnels.
Lindsey.
Lotief.
Puryear.
Reed of Bowie.
Rogers of Hunt.
Russell.
Shults.
Tillery.
Vaughan.
Winningham.
Wood.

Present—Not Voting

Hunter.

Absent

Barron.
Bedford.
Burns.
Chastain.
Clayton.
Daniel.
Devall.
Dunagan.
Engelhard.
Ford.
Golson.
Good.
Graves.
Harman.
Hartzog.
Holloway.
Hoskins.

Hunt.
Hyder.
Jefferson.
Johnson
of Anderson.
Jones of Atascosa.
Leonard.
McDougald.
McKee.
Merritt.
Mitcham.
Munson.
Renfro.
Scarborough.
Scott.
Tarwater.

Absent—Excused

Harrison.
Johnson of Dimmit.

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 52, to the Committee on Claims and Accounts.

Senate Bill No. 79, to the Committee on Judiciary.

Senate Bill No. 94, to the Committee on Education.

HOUSE BILL NO. 25 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 25, A bill to be entitled "An Act amending Article 1111, Vernon's Revised Civil Statutes, the same being the Act of 1927, Fortieth Legislature, page 276, Chapter 194, for the purpose of more fully and effectually carrying out the National Industrial Recovery Act and its program of relief in the State of Texas, by providing adequate machinery to increase the powers of cities, towns, and villages, in order that they may mortgage and encumber municipal markets or city markets, so as to enable them to obtain loans from the Federal Government for the purpose of building, enlarging, or repairing municipally-owned markets; etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—99

Adamson.	Hartzog.
Aikin.	Head.
Alexander.	Hester.
Anderson.	Hicks.
Baker.	Hill of Brazoria.
Barrett.	Hill of Webb.
Barron.	Hodges.
Bedford.	Holekamp.
Bourne.	Holland.
Bradley.	Huddleston.
Calvert.	Hughes.
Camp.	James.
Canon.	Jefferson.
Cathey.	Jones of Runnels.
Celaya.	Jones of Shelby.
Colson.	Kyle of Hays.
Cowley.	Kyle of Palo Pinto.
Davidson.	Laird.
Dean.	Latham.
Devall.	Long.
Dunlap.	Lotief.
Engelhard.	Mackay.
Few.	Mathis.
Fisher.	McDougald.
Fuchs.	McKee.
Glass.	Metclafe.
Golson.	Mitcham.
Graves.	Moffett.
Greathouse.	Moore.
Griffith.	Morrison.
Hankamer.	Morse.
Harris.	Nicholson.

Palmer.	Savage.
Parkhouse.	Shults.
Patterson.	Smith.
Pavlica.	Stanfield.
Pope.	Steward.
Ramsey.	Stinson.
Ratliff.	Stovall.
Ray.	Stubbeman.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Tennyson.
Renfro.	Thomas.
Riddle.	Townsend.
Roberts.	Turlington.
Rogers	Van Zandt.
of Ochiltree.	Wagstaff.
Rollins.	Walker.
Ross.	Wood.
Russell.	Young.

Nays—7

Alsup.	Jackson.
Fain.	Vaughan.
Hunt.	Winningham.
Hunter.	

Present—Not Voting

Goodman.

Absent

Beck.	Jones of Atascosa.
Burns.	Kayton.
Butler.	Lemens.
Caven.	Leonard.
Chastain.	Lindsey.
Clayton.	Magee.
Coombes.	McCullough.
Crossley.	McGregor.
Daniel.	Merritt.
Dunagan.	Munson.
Duvall.	Puryear.
Dwyer.	Reader.
Ford.	Rogers of Hunt.
Good.	Scarborough.
Harman.	Scott.
Holloway.	Shannon.
Hoskins.	Sullivant.
Hyder.	Tillery.
Johnson	Weinert.
of Anderson.	Wells.

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 40 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 40, A bill to be entitled "An Act releasing penalties and interest on ad valorem and poll taxes that were delinquent on or before July 1, 1933, due the State and certain subdivisions of the State, provided same are voluntarily paid on or be-

fore December 31, 1933, together with 2 per cent penalty, or on or before March 31, 1934, together with 4 per cent penalty, or on or before June 30, 1934, together with 6 per cent penalty; providing that Section 1 hereof shall not apply to delinquent taxes due to cities, towns, villages, special school districts, or independent school districts, unless and until the governing body of such subdivision shall adopt the provisions hereof by resolution or ordinance; providing that nothing in Section 1 of this Act shall be construed as postponing, delaying, or extending the time for the payment of delinquent taxes covered by this Act, nor as prohibiting, postponing, or delaying the filing or prosecution of tax suits; defining the term 'voluntarily paid,' as same is used herein; etc., and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—81

Adamson.	Lindsey.
Alexander.	Mackay.
Alsup.	Magee.
Anderson.	McCullough.
Beck.	McDougald.
Bedford.	McGregor.
Bradley.	McKee.
Calvert.	Metcalfe.
Camp.	Moffett.
Cathey.	Morse.
Celaya.	Nicholson.
Coombes.	Parkhouse.
Cowley.	Puryear.
Crossley.	Ramsey.
Dean.	Ratliff.
Devall.	Ray.
Fisher.	Reader.
Glass.	Reed of Dallas.
Golson.	Renfro.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Hill of Webb.	Rollins.
Hodges.	Ross.
Holland.	Savage.
Hughes.	Shults.
Hunt.	Smith.
Hunter.	Steward.
Jackson.	Stinson.
James.	Stovall.
Jones of Runnels.	Stubbeman.
Kyle of Hays.	Tarwater.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Townsend.
Lemens.	Turlington.
Leonard.	Van Zandt.

Vaughan.	Winningham.
Walker.	Wood.
Wells.	Young.

Nays—28

Aikin.	Holekamp.
Baker.	Huddleston.
Barrett.	Jones of Shelby.
Bourne.	Long.
Canon.	Lotief.
Colson.	Mitcham.
Davidson.	Palmer.
Engelhard.	Patterson.
Fain.	Pope.
Fuchs.	Reed of Bowie.
Greathouse.	Russell.
Head.	Stanfield.
Hicks.	Tillery.
Hill of Brazoria.	Wagstaff.

Absent

Barron.	Hoskins.
Burns.	Hyder.
Butler.	Jefferson.
Caven.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Daniel.	Kayton.
Dunlap.	Mathis.
Dunagan.	Merritt.
Duvall.	Moore.
Dwyer.	Morrison.
Few.	Munson.
Ford.	Pavlica.
Good.	Riddle.
Goodman.	Scarborough.
Graves.	Scott.
Harman.	Shannon.
Hester.	Sullivant.
Holloway.	Weinert.

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

GRANTING MAX HIRSH PERMISSION TO SUE THE STATE

Mr. McGregor offered the following resolution:

H. C. R. No. 38, Granting permission to Max Hirsh, doing business as Caledonia Steel Company, his heirs and personal representatives, and the Caledonia Steel Company, permission to sue the State of Texas and the Highway Department of the State of Texas on a claim for steel for which it is claimed to have been sold and delivered the Highway Department of the State of Texas for the use and benefit of the State of Texas.

Be it resolved by the House of Representatives of the State of Texas for the First Called Session of the Forty-third Legislature, the Senate concurring, That Max Hirsh, doing business under the trade name of Caledonia Steel Company, his heirs and personal representatives, and the Caledonia Steel Company, or either of them, be, and they are hereby, granted permission to sue the State of Texas to recover any and all sums of money claimed to be due by virtue of a purported sale of steel to the State of Texas through the Highway Department of the State of Texas, which sale is purported to have been made in August, 1926, and for which it is claimed the State has never paid the purchase price. Permission is hereby granted to sue in regard to all the rights which the said parties may have of every nature, character, and kind growing out of, and by virtue of, said purported transaction.

Service in said lawsuit shall be made by service of citation, together with the copy of the petition upon the Chairman of the Highway Commission of the State of Texas, and the Attorney General of the State of Texas is hereby authorized and directed in the event such service is had as required by law to answer for and in behalf of the State of Texas in said cause.

The resolution was read second time.

On motion of Mr. Fisher, the resolution was referred to the Committee on State Affairs.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Holland, House Bill No. 212 was ordered not printed.

On motion of Mr. McDougald, Senate Bill No. 57 was ordered not printed.

RECESS

On motion of Mr. Anderson, the House at 12 o'clock m., took recess to 2 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 12, A bill to be entitled "An Act amending and re-enacting Subsections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, of Chapter 166, of the Acts of the Forty-third Legislature, being House Bill No. 167, pages 428-433, of the Session Acts of the Forty-third Legislature; appropriating from State funds \$1,260 to defray operating expenses of the Racing Commission for the period ending December 31, 1933; providing that the appropriations made by the Forty-third Legislature for the Department of Agriculture shall not be drawn upon unless the funds in the 'Special Racing Fund' shall be insufficient or unavailable; creating a Racing Commission of three members, to consist of the Commissioner of Agriculture, State Tax Commissioner, and a chairman to be appointed by the Governor; authorizing the Commission to appoint a secretary and other officers and employees; fixing the compensation of the Commissioners and certain employees, and defining the powers and duties of the Commissioners; etc., and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,
Secretary of the Senate.

(Mr. Calvert in the Chair.)

HOUSE BILL NO. 47 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 47, A bill to be entitled "An Act requiring, in certain instances after twenty years, in other instances after seven years, and in other instances after stipulated periods, individuals, companies, corporations, and associations holding certain unclaimed deposits of money and certain unclaimed property for storage or safe-keeping, or otherwise, and companies, corporations, and

associations holding certain unclaimed dividends, profits, debts, and interest on debts, and requiring certain county and district court officials holding funds in trust paid in under order of the court, to report annually, under oath, such unclaimed deposits of money, property, dividends, profits, debts, and interest on debts so held to the Comptroller of Public Accounts; setting forth the requirements of such reports, and providing penalties for false reports and for failure to report; requiring the Comptroller of Public Accounts to keep an index of the contents of said reports; etc., and declaring an emergency."

The bill was read third time.

Mr. Savage offered the following amendment to the bill:

Amend House Bill No. 47 by striking out the word "January," wherever it appears, and inserting "February."

The amendment was adopted.

Mr. Wells moved that the bill be laid on the table.

The motion prevailed by the following vote:

Yeas—87

Adamson.	Hunter.
Alexander.	Hyder.
Alsup.	Johnson
Anderson.	of Anderson.
Barrett.	Jones of Runnels.
Barron.	Jones of Shelby.
Bedford.	Kyle of Hays.
Bourne.	Kyle of Palo Pinto.
Butler.	Laird.
Camp.	Lemens.
Celaya.	Lindsey.
Cowley.	Long.
Davidson.	Magee.
Dean.	Mathis.
Devall.	McKee.
Duvall.	Mitcham.
Dwyer.	Moffett.
Engelhard.	Moore.
Fain.	Nicholson.
Fuchs.	Palmer.
Glass.	Parkhouse.
Golson.	Patterson.
Goodman.	Pope.
Graves.	Puryear.
Griffith.	Ratliff.
Harris.	Ray.
Head.	Reed of Dallas.
Hester.	Renfro.
Hodges.	Riddle.
Holekamp.	Roberts.
Holland.	Rogers
Huddleston.	of Ochiltree.
Hughes.	Ross.

Scarborough.	Tennyson.
Scott.	Tillery.
Shannon.	Townsend.
Smith.	Turlington.
Stanfield.	Van Zandt.
Steward.	Walker.
Stovall.	Weinert.
Sullivan.	Wells.
Tarwater.	

Nays—24

Aikin.	McCullough.
Baker.	Reed of Bowie.
Canon.	Rogers of Hunt.
Coombes.	Rollins.
Fisher.	Russell.
Greathouse.	Savage.
Hankamer.	Shults.
Harman.	Stinson.
Hill of Brazoria.	Stubbeman.
Hunt.	Vaughan.
Jackson.	Wagstaff.
Lotief.	Wood.

Absent

Beck.	James.
Bradley.	Jefferson.
Burns.	Jones of Atascosa.
Calvert.	Kayton.
Cathey.	Latham.
Caven.	Leonard.
Chastain.	Mackay.
Clayton.	McDougald.
Colson.	McGregor.
Crossley.	Merritt.
Daniel.	Metcalfe.
Dunlap.	Morrison.
Dunagan.	Morse.
Few.	Munson.
Ford.	Pavlica.
Good.	Ramsey.
Hartzog.	Reader.
Hicks.	Thomas.
Hill of Webb.	Winningham.
Holloway.	Young.
Hoskins.	

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 149 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 149, A bill to be entitled "An Act to amend House Bill No. 231, Chapter 102, page 225, General Laws, passed at the Regular Session of the Forty-third Legislature, State of Texas, by extending the period within which relief may be granted to debt-

ors coming under the provisions of said Act, and extending the terms and provisions and the relief granted under said Act to and including the first day of January, A. D. 1935; amending Sections 1 and 11 of said Act; fixing a State policy, and declaring an emergency."

The bill was read third time.

Mr. Greathouse moved a call of the House for the purpose of maintaining a quorum pending consideration of House Bill No. 149, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Greathouse, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

House Bill No. 149 was passed by the following vote:

Yeas—85

Adamson.	Harris.
Aikin.	Harrison.
Alexander.	Hodges.
Alsup.	Holekamp.
Baker.	Holland.
Barrett.	Hoskins.
Barron.	Huddleston.
Beck.	Hunt.
Bourne.	Hunter.
Burns.	Hyder.
Butler.	Jones of Runnels.
Canon.	Jones of Shelby.
Cathey.	Laird.
Celaya.	Latham.
Chastain.	Lemens.
Coombes.	Leonard.
Cowley.	Lindsey.
Daniel.	Long.
Dean.	Lotief.
Dunagan.	Mackay.
Duvall.	Magee.
Dwyer.	McCullough.
Engelhard.	McDougald.
Few.	McGregor.
Fisher.	Merritt.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Morrison.
Good.	Nicholson.
Graves.	Palmer.
Greathouse.	Patterson.
Griffith.	Pope.

Puryear.	Smith.
Ratliff.	Stanfield.
Reed of Bowie.	Stubbeman.
Rogers of Hunt.	Sullivant.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Turlington.
Russell.	Wagstaff.
Scarborough.	Walker.
Scott.	Weinert.
Shannon.	Young.

Nays—35

Anderson.	Metcalf.
Bedford.	Moore.
Camp.	Parkhouse.
Caven.	Ray.
Crossley.	Reader.
Davidson.	Reed of Dallas.
Fain.	Renfro.
Ford.	Roberts.
Hankamer.	Ross.
Head.	Shults.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hughes.	Stovall.
James.	Townsend.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Kyle of Hays.	Wells.
Mathis.	Winningham.

Present—Not Voting

Tillery.

Absent

Bradley.	Jefferson.
Calvert.	Jones of Atascosa.
Clayton.	Kayton.
Colson.	Kyle of Palo Pinto.
Devall.	McKee.
Dunlap.	Morse.
Goodman.	Munson.
Harnian.	Pavlica.
Hartzog.	Ramsey.
Hester.	Riddle.
Hicks.	Savage.
Holloway.	Thomas.
Jackson.	Wood.

Absent—Excused

Johnson	McClain.
of Dimmit.	

PROVIDING FOR CERTAIN MEDALS

Mr. Coombes, by unanimous consent, offered the following resolution:

H. C. R. No. 37, Providing for certain medals and service ribbons.

Whereas, Heretofore, the Forty-first Legislature adopted House Concurrent Resolution No. 8, which was duly approved by the Governor of Texas on March 20, 1930, and which said House Concurrent Resolution No. 8 authorized and instructed the Adjutant General of the State of Texas to design, cause to be manufactured, and issue certain medals and service ribbons in recognition of service of members of the Texas National Guard for active State duty and other service, including service in the Texas National Guard during the Spanish-American War, the Philippine Campaign, and the World War; and,

Whereas, During the above-mentioned campaigns many thousands of loyal and patriotic citizens of Texas served in the United States Army, Navy, and Marine Corps in other components of said Army, Navy, and Marine Corps than the Texas National Guard; and,

Whereas, The giving of such medals by an appreciative State is an appropriate recognition of patriotic service, and serves to encourage others to render service in the future; and,

Whereas, The State of Texas should give like recognition to those of her sons who have served in the United States Army, Navy, and Marine Corps, in war and campaign, as she has recognized the service of those serving in the Texas National Guard; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Adjutant General of the State of Texas be, and he is hereby, authorized and directed to select an appropriate design of service medal and service ribbon, which all citizens of the State of Texas, who served honorably in the United States Army, Navy, and Marine Corps during the Spanish-American War, the Philippine Campaign, the Campaign in Mexico, the Mexican Border Service, the World War, or any other service which the United States Government shall recognize as a military campaign, may wear; and, be it further

Resolved, That the Adjutant General of the State of Texas be, and he is hereby, directed to publish such regulations and orders as may be necessary to accomplish the purpose of

this resolution; provided, however, that no expense or cost to the State of Texas may be incurred thereby.

PATTERSON,
HEAD,
SCARBOROUGH,
McKEE,
COWLEY,
DEVALL,
COOMBES.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 105 ON SECOND READING

On motion of Mr. Harman, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 105, A bill to be entitled "An Act appropriating \$25,000 out of any funds of the State of Texas not otherwise appropriated, to be used to pay additional expense of publication of eight proposed amendments to the Constitution of Texas and for the subsequent holding of a general election at which said amendments are to be voted upon, said amount being herein appropriated to be used as payment of any difference in the amount of the costs of the publication of said amendments and holding of said election over and above the amounts of money already appropriated for said purpose, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 105 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Baker.
Aikin.	Barrett.
Alexander.	Bedford.
Alsup.	Bourne.
Anderson.	Bradley.

Butler.	McDougald.
Canon.	McGregor.
Cathey.	McKee.
Caven.	Merritt.
Celaya.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moore.
Davidson.	Morrison.
Dean.	Nicholson.
Devall.	Palmer.
Dunagan.	Patterson.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ratliff.
Fisher.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Renfro.
Goodman.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Rollins.
Harman.	Ross.
Harrison.	Russell.
Hill of Brazoria.	Savage.
Hill of Webb.	Scarborough.
Hodges.	Scott.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Smith.
Huddleston.	Stanfield.
Hughes.	Steward.
Hunter.	Stinson.
Hyder.	Stovall.
Jackson.	Stubbeman.
James.	Sullivant.
Johnson	Tarwater.
of Anderson.	Tennyson.
Jones of Shelby.	Thomas.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Van Zandt.
Latham.	Wagstaff.
Lemens.	Walker.
Mackay.	Wells.
Magée.	Wood.
McCullough.	Young.

Nays—9

Camp.	Lotief.
Hicks.	Tillery.
Jones of Runnels.	Vaughan.
Lindsey.	Winningham.
Long.	

Absent

Barron.	Dunlap.
Beck.	Duvall.
Burns.	Dwyer.
Calvert.	Good.
Chastain.	Graves.
Clayton.	Greathouse.
Colson.	Harris.
Coombes.	Hartzog.
Daniel.	Head.

Hester.	Morse.
Holloway.	Munson.
Hunt.	Parkhouse.
Jefferson.	Pavlica.
Jones of Atascosa.	Ramsey.
Kayton.	Riddle.
Leonard.	Rogers
Mathis.	of Ochiltree.
Moffett.	Weinert.

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid House Bill No. 105 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 121 ON SECOND READING

On motion of Mr. Harman, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 121, A bill to be entitled "An Act appropriating the sum of \$1,200 for each of the two years beginning September 1, 1933, and September 1, 1934, to pay the traveling and living expenses of Justices of the several Courts of Civil Appeals in hearing oral arguments in transferred cases under the provisions of Chapter 151, of the General Laws of the State of Texas, passed at the Regular Session of the Forty-third Legislature, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

(Speaker in the Chair.)

HOUSE BILL NO. 121 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 121 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—90

Adamson.	Alexander.
Aikin.	Alsup.

Baker.	Laird.
Barrett.	Long.
Barron.	Mackay.
Beck.	Magee.
Bedford.	Mathis.
Bourne.	McCullough.
Butler.	McDougald.
Canon.	Merritt.
Cathey.	Metcalfe.
Caven.	Mitcham.
Celaya.	Moore.
Clayton.	Morrison.
Cowley.	Patterson.
Crossley.	Pope.
Davidson.	Ratliff.
Dean.	Ray.
Devall.	Reed of Bowie.
Duvall.	Reed of Dallas.
Engelhard.	Renfro.
Fain.	Roberts.
Few.	Rogers of Hunt.
Fisher.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Glass.	Ross.
Golson.	Russell.
Greathouse.	Savage.
Griffith.	Shannon.
Hankamer.	Shults.
Harman.	Smith.
Harrison.	Stanfield.
Head.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Stubbeman.
Hughes.	Tennyson.
Hunt.	Thomas.
Hunter.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Wagstaff.
Johnson	Walker.
of Anderson.	Wells.
Jones of Shelby.	Wood.
Kyle of Palo Pinto.	Young.

Nays—10

Coombes.	Lindsey.
Dunagan.	Lotief.
Holekamp.	Puryear.
Huddleston.	Tillery.
Jones of Runnels.	Vaughan.

Present—Not Voting

Scott.

Absent

Anderson.	Dwyer.
Bradley.	Good.
Burns.	Goodman.
Calvert.	Graves.
Camp.	Harris.
Chastain.	Hartzog.
Colson.	Hester.
Daniel.	Hicks.
Dunlap.	Hill of Webb.

Holland.	Munson.
Holloway.	Nicholson.
Hoskins.	Palmer.
Jefferson.	Parkhouse.
Jones of Atascosa.	Pavlica.
Kayton.	Ramsey.
Kyle of Hays.	Reader.
Latham.	Riddle.
Lemens.	Scarborough.
Leonard.	Steward.
McGregor.	Sullivant.
McKee.	Tarwater.
Moffett.	Weinert.
Morse.	Winningham.

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid House Bill No. 121 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 195 ON SECOND READING

On motion of Mr. Harman, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 195, A bill to be entitled "An Act making an appropriation to pay for fuel, light, and water for the Court of Civil Appeals, First Supreme Judicial District, at Galveston, Texas, and the Court of Civil Appeals, Sixth Supreme Judicial District, at Texarkana, Texas, for the fiscal years ending August 31, 1934, and August 31, 1935, respectively, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 195 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 195 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Adamson.	Alexander.
Aikin.	Alsup.

Anderson.	Long.
Baker.	Lötief.
Beck.	Mackay.
Bedford.	Magee.
Bourne.	McDougald.
Butler.	McGregor.
Camp.	Merritt.
Canon.	Metcalf.
Cathey.	Mitcham.
Caven.	Moffett.
Colson.	Moore.
Cowley.	Morrison.
Crossley.	Nicholson.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Pavlica.
Dunlap.	Pope.
Duvall.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Griffith.	Rollins.
Hankamer.	Ross.
Harman.	Scarborough.
Harrison.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Holland.	Smith.
Hughes.	Stanfield.
Hunt.	Steward.
Hunter.	Stinson.
Hyder.	Stovall.
Jackson.	Stubbeman.
James.	Sullivant.
Johnson	Tarwater.
of Anderson.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Townsend.
Kyle of Hays.	Turlington.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Weinert.
Lindsey.	

Nays—12

Coombes.	Russell.
Dunagan.	Savage.
Hicks.	Tillery.
Holekamp.	Vaughan.
Huddleston.	Winningham.
Puryear.	Wood.

Absent

Barrett.	Chastain.
Barron.	Clayton.
Bradley.	Daniel.
Burns.	Dwyer.
Calvert.	Good.
Celaya.	Goodman.

Graves.	Leonard.
Greathouse.	Mathis.
Harris.	McCullough.
Hartzog.	McKee.
Head.	Morse.
Hester.	Munson.
Hodges.	Palmer.
Holloway.	Ramsey.
Hoskins.	Reader.
Jefferson.	Riddle.
Jones of Atascosa.	Wells.
Kayton.	Young.

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid House Bill No. 121 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 161 ON SECOND READING

On motion of Mr. Harman, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 161, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1933, to be used by the Texas State Parks Board, and declaring an emergency."

The Speaker laid the bill before the House.

Mr. Harman offered the following committee amendment to the bill:

Amend House Bill No. 161 by striking out the figures "\$25,000," and substituting the figures "\$12,500."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 161 was then passed to engrossment.

HOUSE BILL NO. 161 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 161 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Laird.
Aikin.	Long.
Alexander.	Mackay.
Anderson.	Magee.
Baker.	Mathis.
Barrett.	McCullough.
Barron.	McDougald.
Bourne.	McGregor.
Butler.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Caven.	Moore.
Celaya.	Morrison.
Clayton.	Nicholson.
Cowley.	Parkhouse.
Davidson.	Patterson.
Dean.	Pavlica.
Dunlap.	Pope.
Duvall.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reader.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Greathouse.	Rollins.
Griffith.	Ross.
Hankamer.	Scarborough.
Harman.	Shannon.
Harrison.	Smith.
Head.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stovall.
Holekamp.	Stubbeman.
Holland.	Sullivant.
Hoskins.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hunter.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	Young.

Nays—13

Crossley.	Russell.
Devall.	Stinson.
Dunagan.	Tillery.
Hicks.	Vaughan.
Huddleston.	Winningham.
Lindsey.	Wood.
Lotief.	

Absent

Alsup.	Burns.
Beck.	Cathey.
Bedford.	Chastain.
Bradley.	Colson.

Coombes.	Kayton.
Daniel.	Latham.
Good.	Lemens.
Goodman.	Leonard.
Graves.	McKee.
Harris.	Morse.
Hartzog.	Munson.
Hester.	Palmer.
Hill of Webb.	Riddle.
Holloway.	Rogers
Jefferson.	of Ochiltree.
Johnson	Savage.
of Anderson.	Scott.
Jones of Atascosa.	Shults.

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid House Bill No. 161 before the House on its third reading and final passage.

The bill was read third time, and was passed.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 100, A bill to be entitled "An Act making appropriation for the support and maintenance of the General Land Office, and particularly making an appropriation for a special audit to be made by or under the direction of the Commissioner of the General Land Office of all books and accounts of oil companies relative to the bonus and rentals due on sold public school lands, and declaring an emergency."

The Senate has adopted

H. C. R. No. 20, Relating to the use of appropriation heretofore made for the Firemen's Training School at A. & M. College.

Respectfully,
BOB BARKER,
Secretary of the Senate.

MOTION TO TAKE UP HOUSE BILL NO. 193

Mr. Harman moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 193, A bill to be entitled "An Act making appropriations for additional help in the Ranger Service, State Board of Control, Examining Division of the Insurance Department, Bureau of Labor Statistics, Live Stock Sanitary Commission, for the two-year period beginning September 1, 1933, and ending August 31, 1935, and for other purposes, and declaring an emergency."

The motion was lost.

SPECIAL ORDER SET

Mr. Patterson moved that House Bill No. 55 be set as a special order for 3:35 o'clock p. m., today.

The motion prevailed.

HOUSE BILL NO. 55 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 55, A bill to be entitled "An Act amending Subsection 4 and Subsection 5, of Section 2; and Section 9, Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, providing for monthly payment of tax levied, and prescribing the date upon which tax shall be paid, by whom it shall be paid; providing that if said tax is withheld by the purchaser and said purchaser fails to make payment of said tax to the State that the producer may have legal action against the purchaser by reason of such failure, and providing for attorney's fee; etc., and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following amendment to the bill:

Amend House Bill No. 55, page 2, by striking out all of lines 3 to 26, inclusive, and inserting in lieu thereof the following:

"Section 1. Section 2, of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 2. (1) There is hereby levied an occupation tax on oil produced within this State of two (2) cents per barrel of forty-two (42) standard gallons. Said tax shall be computed upon the total barrels of oil produced or salvaged from the

earth or waters of this State without any deductions, and shall be based upon tank tables showing one hundred per cent (100%) of production and exact measurements of contents. Provided, however, that the occupation tax herein levied on oil shall be two per cent (2%) of the market value of said oil whenever the market value thereof is in excess of one dollar (\$1) per barrel of forty-two (42) standard gallons. "The market value of oil," as that term is herein used, shall be the actual market value thereof, plus any bonus or premium, or other thing of value paid therefor, or which such oil does or will reasonably bring, if produced in accordance with the laws, rules, and regulations of the State of Texas.

"(2) The tax hereby levied shall be a liability of the producer of oil, and it shall be the duty of such producer to keep accurate records of all oil produced, making monthly reports under oath as hereinafter provided.

"(3) The purchaser of oil shall pay the tax on all oil purchased and deduct tax so paid from payment due producer or other interest holder, making such payments so deducted to the Comptroller of Public Accounts by legal tender or cashier's check payable to the State Treasury.

"Provided, that if oil produced is not sold during the month when produced, then said producer shall pay the tax at the same rate and in the manner as if said oil were sold.

"(4) The tax herein levied shall be paid monthly on the thirtieth day of each month on all oil produced during the month next preceding, by the purchaser or producer, as the case may be, but in no event, shall a producer be relieved of responsibility for the tax until same shall have been paid; and provided, in event the amount of the tax herein levied shall be withheld by a purchaser from payments due a producer, and said purchaser fails to make payment of the tax to the State as provided herein, the producer may bring legal action against such purchaser to recover the amount of tax so withheld, together with penalties and interest which may have accrued by failure to make payments, and shall be entitled to reasonable attorney fees and court costs incurred by such legal action.

"(5) Provided that unless such payment of tax on all oil produced during any month or fractional part thereof shall be made on or before the thirtieth of the month immediately following, such payment shall become delinquent and a penalty of ten per cent (10%) of the amount of the tax shall be added; such tax and penalty shall bear interest at the rate of six per cent (6%) per annum from date due until date paid.

"(6) The tax herein levied shall be borne ratably by all interested parties, including royalty interests; and producers and/or purchasers of oil are hereby authorized and required to withhold from any payments due interested parties the proportionate tax due.

"(7) The taxes herein provided for, when paid, shall be, and hereby are, allocated as follows, to wit:

"One-half of said tax, when and as received by the Comptroller, shall be paid to the State Treasurer of Texas and be placed to the credit of the Public School Fund, and one-half of such taxes, when and as received by the Comptroller, shall be paid to the State Treasurer to be placed to the credit of the General Fund of the State."

HARMAN,
METCALFE.

Mr. Daniel offered the following amendment to the amendment:

Amend amendment to House Bill No. 55 by striking out "thirtieth" in lines 33 and 47, and inserting in lieu thereof "twentieth."

Mr. Long offered the following substitute for the amendment by Mr. Daniel:

Amend House Bill No. 55 by striking out the word "thirtieth," in lines 33 and 47, and inserting the words "twenty-fifth."

LONG,
CAMP.

The substitute amendment was adopted.

The amendment to the amendment as substituted was then adopted.

The amendment, by Mr. Harman, as amended was then adopted.

Mr. Harman and Mr. Metcalfe offered the following amendment to the bill:

Amend House Bill No. 55, page 2, by adding at the end of Section 1 two new Sections, to be known as Sections 2 and 3:

"Section 2. Section 3, of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 3. (1) Producers and/or purchasers of oil shall keep in Texas a complete record of all oil produced and a record of all oil sold; reports shall be filed with the Comptroller monthly by producers and purchasers, not later than the twenty-fifth of each calendar month, showing the amount of oil produced and the amount of oil sold during the month preceding, upon forms furnished by the Comptroller.

"(2) All railroads, barges, trucks, pipe lines, carrying or transporting oil for hire, for themselves or their owners, shall keep in Texas a complete and accurate record of all oil so handled by months, showing date received, number of barrels, by whom received, point of delivery, to whom delivered, and manner of transportation, and such records shall be open to the inspection of the duly authorized agents of the Comptroller or the Attorney General at all times, and, if requested by the Comptroller, shall furnish information and reports of movements as often as required by the Comptroller."

"Sec. 3. Section 5, of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, is hereby amended so as to hereafter read as follows:

"Section 5. (1) Monthly reports by producers shall be filed with the Comptroller upon such forms as may be designated by that official, showing the total number of barrels of oil produced monthly, the name of the county from which produced, the name of the lease from which produced, the disposition made of such oil if sold, the name and correct address of the purchaser, and if not sold, the location of storage, if owned by such operator, or if stored with a pipe line or a refinery, the correct name and address of such pipe line or refinery. All reports so made shall be duly sworn to by the producer or his authorized agent.

"(2) Purchasers of oil shall accompany the remittance for taxes de-

ducted from settlements as provided herein, with a statement or report in a form to be prescribed by the Comptroller, showing complete information requested in such form, including name and address of producer from whom oil was purchased; name of the county from which such oil was produced; name of the lease and the total number of barrels purchased."

HARMAN,
METCALFE.

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend House Bill No. 55, page 2, by inserting between lines 26 and 27, the following:

"Section 4. Section 9, of Chapter 162, House Bill No. 154, Acts of the Forty-third Legislature, Regular Session, is hereby amended so as to hereafter read, as follows:"

HARMAN,
METCALFE.

The amendment was adopted.

Mr. Harman offered the following amendment to the bill:

Amend House Bill No. 55, page 3, line 20, by striking out of said line the figure "2," and inserting in lieu thereof the figure "5."

HARMAN,
METCALFE.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 55 was then passed to engrossment.

HOUSE BILL NO. 55 ON THIRD READING

Mr. Long moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Bradley.
Aikin.	Calvert.
Alsup.	Camp.
Baker.	Canon.
Barrett.	Cathey.
Bourne.	Caven.

Clayton.	Magee.
Coombes.	McCullough.
Cowley.	McGregor.
Crossley.	Merritt.
Davidson.	Metcalfe.
Dean.	Mitcham.
Dunagan.	Moffett.
Duvall.	Morrison.
Dwyer.	Nicholson.
Engelhard.	Palmer.
Fain.	Patterson.
Few.	Pavlica.
Fisher.	Pope.
Fuchs.	Puryear.
Glass.	Ramsey.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Roberts.
Hankamer.	Rogers of Hunt.
Harman.	Rollins.
Harris.	Ross.
Hicks.	Russell.
Hill of Brazoria.	Savage.
Hodges.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Hoskins.	Shults.
Huddleston.	Smith.
Hughes.	Stanfield.
Hunter.	Steward.
Hyder.	Stinson.
Jackson.	Stubbeman.
James.	Tarwater.
Johnson	Tennyson.
of Anderson.	Thomas.
Jones of Runnels.	Tillery.
Kayton.	Townsend.
Kyle of Hays.	Turlington.
Kyle of Palo Pinto.	Van Zandt.
Latham.	Vaughan.
Lemens.	Wagstaff.
Leonard.	Walker.
Long.	Wells.
Mackay.	Wood.

Nays—4

Lindsey.	Rogers
Lotief.	of Ochiltree.
Parkhouse.	

Absent

Alexander.	Graves.
Anderson.	Hartzog.
Barron.	Head.
Beck.	Hester.
Bedford.	Hill of Webb.
Burns.	Holloway.
Butler.	Hunt.
Celaya.	Jefferson.
Chastain.	Jones of Atascosa.
Colson.	Jones of Shelby.
Daniel.	Laird.
Devall.	Mathis.
Dunlap.	McDougald.
Ford.	McKee.

Moore.	Stovall.
Morse.	Sullivant.
Munson.	Weinert.
Reader.	Winningham.
Renfro.	Young.
Riddle.	

Absent—Excused

Harrison.	McClain.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 55 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107

Adamson.	Hyder.
Aikin.	Jackson.
Alsup.	James.
Anderson.	Johnson
Baker.	of Anderson.
Barrett.	Jones of Runnels.
Barron.	Kyle of Hays.
Bourne.	Kyle of Palo Pinto.
Bradley.	Latham.
Butler.	Lemens.
Calvert.	Lindsey.
Camp.	Long.
Canon.	Lotief.
Cathey.	Mackay.
Caven.	Magee.
Clayton.	Merritt.
Coombes.	Metcalfe.
Cowley.	Mitcham.
Crossley.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunlap.	Nicholson.
Dunagan.	Palmer.
Duvall.	Patterson.
Dwyer.	Pavlica.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ramsey.
Fisher.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Harris.	Russell.
Head.	Scarborough.
Hill of Brazoria.	Scott.
Hodges.	Shults.
Holekamp.	Smith.
Holland.	Stanfield.
Hoskins.	Steward.
Huddleston.	Stinson.
Hughes.	Stovall.
Hunter.	Stubbeman.

Sullivant.	Van Zandt.
Tarwater.	Vaughan.
Tennyson.	Wagstaff.
Thomas.	Walker.
Tillery.	Wells.
Townsend.	Wood.
Turlington.	

Nays—1

Hicks.

Absent

Alexander.	Kayton.
Beck.	Laird.
Bedford.	Leonard.
Burns.	Mathis.
Celaya.	McCullough.
Chastain.	McDougald.
Colson.	McGregor.
Daniel.	McKee.
Davidson.	Morse.
Ford.	Munson.
Graves.	Parkhouse.
Harrison.	Reader.
Hartzog.	Renfro.
Hester.	Riddle.
Hill of Webb.	Savage.
Holloway.	Shannon.
Hunt.	Weinert.
Jefferson.	Winningham.
Jones of Atascosa.	Young.
Jones of Shelby.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Bill No. 53 by the following vote: Yeas, 29; nays, 0.

The Senate has passed

S. B. No. 80, A bill to be entitled "An Act to authorize the Board of Regents of The University of Texas to execute bond in a sum not in excess of one million two hundred thousand dollars, to obtain funds with which to complete the Main Building of The University of Texas; to pledge that part of the Available University Fund arising from grazing and other surface leases of University lands to secure same; and to authorize said Board to make contracts for the construction of dormitories, and declaring an emergency."

S. B. No. 86, A bill to be entitled "An Act to validate all proceedings and Acts of the governing boards of cities containing a population of not more than 11,000 and less than 10,500, according to the next preceding Federal Census, in connection with the issuance of funding warrants and funding bonds heretofore authorized or attempted to be authorized under the provisions of Chapter 163, Acts Forty-second Legislature, Regular Session, and declaring an emergency."

S. B. No. 55, A bill to be entitled "An Act authorizing and empowering the State Highway Commission to pay out funds credited to the State Highway Fund premiums on surety bonds required by the Federal Government of the State Treasurer to secure funds advanced to the State of Texas under the National Industrial Recovery Act for expenditure by the State Highway Department in the construction and improvement of State highways, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 55, to the Committee on Appropriations.

Senate Bill No. 86, to the Committee on Municipal and Private Corporations.

Senate Bill No. 80, to the Committee on Public Lands and Buildings.

HOUSE BILL NO. 207 ON SECOND READING

Mr. Few moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 207 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97

Adamson.	Barrett.
Alsup.	Barron.
Baker.	Beck.

Bourne.	Long.
Butler.	Lotief.
Calvert.	Mackay.
Camp.	Mathis.
Canon.	McDougald.
Clayton.	Merritt.
Colson.	Metcalfe.
Coombes.	Mitcham.
Cowley.	Moffett.
Crossley.	Moore.
Dean.	Morrison.
Devall.	Nicholson.
Dunlap.	Palmer.
Dunagan.	Puryear.
Duvall.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Goodman.	Rollins.
Greathouse.	Ross.
Hankamer.	Russell.
Harrison.	Scarborough.
Hartzog.	Scott.
Head.	Shults.
Hicks.	Smith.
Hill of Brazoria.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hunt.	Sullivant.
Hunter.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Townsend.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Runnels.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Wells.
Lemens.	Winningham.
Leonard.	Wood.
Lindsey.	

Nays—2

Fisher.	Vaughan.
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Present—Not Voting

Mr. Speaker.	Pavlica.
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Absent

Aikin.	Davidson.
Alexander.	Ford.
Anderson.	Good.
Bedford.	Graves.
Bradley.	Griffith.
Burns.	Harman.
Cathey.	Harris.
Caven.	Hester.
Celaya.	Hill of Webb.
Chastain.	Hodges.
Daniel.	Holloway.

Hughes.	Parkhouse.
Jefferson.	Patterson.
Jones of Atascosa.	Pope.
Jones of Shelby.	Reader.
Kayton.	Renfro.
Laird.	Riddle.
Latham.	Roberts.
Magee.	Savage.
McCullough.	Shannon.
McGregor.	Tillery.
McKee.	Weinert.
Morse.	Young.
Munson.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 207, A bill to be entitled "An Act fixing the compensation of the county commissioners in every county having a population of not less than fifty-three thousand five hundred (53,500) nor more than fifty-four thousand (54,000) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 207 ON THIRD READING

The Speaker then laid House Bill No. 207 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101

Adamson.	Engelhard.
Alsup.	Fain.
Anderson.	Few.
Baker.	Fuchs.
Barron.	Glass.
Beck.	Golson.
Bourne.	Goodman.
Bradley.	Greathouse.
Butler.	Hankamer.
Calvert.	Harrison.
Camp.	Hartzog.
Canon.	Head.
Cathey.	Hicks.
Clayton.	Hill of Brazoria.
Colson.	Hodges.
Cowley.	Holekamp.
Dean.	Holland.
Devall.	Hoskins.
Dunagan.	Huddleston.
Duvall.	Hughes.

Hunt.	Reed of Bowie.
Hunter.	Reed of Dallas.
Hyder.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Johnson	Rollins.
of Anderson.	Ross.
Jones of Runnels.	Russell.
Kyle of Hays.	Scarborough.
Kyle of Palo Pinto.	Scott.
Laird.	Shannon.
Lemens.	Shults.
Leonard.	Smith.
Lindsey.	Stanfield.
Long.	Steward.
Lotief.	Stinson.
Mackay.	Stovall.
Mathis.	Stubbeman.
McKee.	Sullivant.
Merritt.	Tarwater.
Metcalfe.	Tennyson.
Mitcham.	Thomas.
Moffett.	Townsend.
Moore.	Turlington.
Morrison.	Van Zandt.
Nicholson.	Wagstaff.
Palmer.	Walker.
Patterson.	Weinert.
Pavlica.	Wells.
Pope.	Winningham.
Ratliff.	Wood.
Ray.	

Nays—1

Vaughan.

Present—Not Voting

Puryear.

Tillery.

Absent

Aikin.	Hill of Webb.
Alexander.	Holloway.
Barrett.	Jefferson.
Bedford.	Jones of Atascosa.
Burns.	Jones of Shelby.
Caven.	Kayton.
Celaya.	Latham.
Chastain.	Magee.
Coombes.	McCullough.
Crossley.	McDougald.
Daniel.	McGregor.
Davidson.	Morse.
Dunlap.	Munson.
Dwyer.	Parkhouse.
Fisher.	Ramsey.
Ford.	Reader.
Good.	Renfro.
Graves.	Riddle.
Griffith.	Roberts.
Harman.	Savage.
Harris.	Young.
Hester.	

Absent—Excused

Johnson
of Dimmit.

McClain.

MOTION FOR SPECIAL ORDER

Mr. Rogers of Ochiltree moved that House Bill No. 209 be set as a special order, for consideration at this time.

The motion was lost.

HOUSE BILL NO. 183 ON SECOND READING

On motion of Mr. Tarwater, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 183, A bill to be entitled "An Act to declare in force the amendment to Section 1-a, Article VIII, of the State Constitution, ratified by the voters of the State at a special election held on August 26, 1933; providing the manner of claiming exemption from State ad valorem taxes on residence homesteads; providing for partial exception from State ad valorem taxes assessed for the year 1933, against residence homesteads in certain areas; providing that the State Comptroller of Public Accounts shall devise procedure under this Act; providing for the validity of the remainder of the Act if any portion be adjudged unconstitutional, and declaring an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 183 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 183 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93

Aikin.	Crossley.
Alexander.	Dean.
Alsup.	Devall.
Baker.	Dunlap.
Barron.	Engelhard.
Bourne.	Fain.
Calvert.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Cathey.	Greathouse.
Clayton.	Griffith.
Colson.	Hankamer.
Cowley.	Harris.

Hartzog.	Nicholson.
Head.	Palmer.
Hill of Brazoria.	Parkhouse.
Hodges.	Patterson.
Holekamp.	Pavlica.
Holland.	Pope.
Hoskins.	Puryear.
Huddleston.	Ratliff.
Hunter.	Ray.
Hyder.	Reader.
Jackson.	Reed of Bowie.
James.	Reed of Dallas.
Jones of Runnels.	Renfro.
Kyle of Hays.	Roberts.
Kyle of Palo Pinto.	Rogers
Laird.	of Ochiltree.
Latham.	Ross.
Lemens.	Smith.
Leonard.	Stanfield.
Lindsey.	Steward.
Long.	Stinson.
Lotief.	Stovall.
Mackay.	Stubbeman.
Magee.	Tarwater.
Mathis.	Tennyson.
McDougald.	Tillery.
McGregor.	Townsend.
McKee.	Turlington.
Merritt.	Wagstaff.
Metcalfe.	Walker.
Mitcham.	Weinert.
Moffett.	Wells.
Moore.	Winningham.
Morrison.	Young.

Nays—10

Adamson.	Russell.
Bradley.	Sullivant.
Coombes.	Van Zandt.
Dunagan.	Vaughan.
Rollins.	Wood.

Present—Not Voting

Hunt.	Rogers of Hunt.
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Absent

Anderson.	Harman.
Barrett.	Harrison.
Beck.	Hester.
Bedford.	Hicks.
Burns.	Hill of Webb.
Butler.	Holloway.
Caven.	Hughes.
Celaya.	Jefferson.
Chastain.	Johnson
Daniel.	of Anderson.
Davidson.	Jones of Atascosa.
Duvall.	Jones of Shelby.
Dwyer.	Kayton.
Few.	McCullough.
Fisher.	Morse.
Ford.	Munson.
Good.	Ramsey.
Goodman.	Riddle.
Graves.	Savage.

Scarborough.	Shults.
Scott.	Thomas.
Shannon.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker then laid House Bill No. 183 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Aikin.	Lindsey.
Alexander.	Long.
Alsup.	Mackay.
Anderson.	Magee.
Baker.	Mathis.
Barron.	McDougald.
Beck.	McKee.
Bourne.	Metcalfe.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Camp.	Nicholson.
Canon.	Palmer.
Cathey.	Parkhouse.
Caven.	Patterson.
Chastain.	Pavlica.
Clayton.	Pope.
Colson.	Puryear.
Cowley.	Ramsey.
Crossley.	Ratliff.
Dean.	Ray.
Devall.	Reader.
Dunlap.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Fain.	Renfro.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers of Ochiltree.
Golson.	Ross.
Goodman.	Russell.
Greathouse.	Scarborough.
Griffith.	Shannon.
Hankamer.	Shults.
Hartzog.	Smith.
Head.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holekamp.	Stubbeman.
Holland.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jones of Runnels.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wells.
Latham.	Winningham.
Lemens.	Young.

Nays—13

Adamson.	Lotief.
Bradley.	Rollins.
Coombes.	Sullivant.
Dunagan.	Van Zandt.
Harris.	Vaughan.
Hunt.	Wood.
Hunter.	

Absent

Barrett.	Jefferson.
Bedford.	Johnson
Celaya.	of Anderson.
Daniel.	Jones of Atascosa.
Davidson.	Jones of Shelby.
Duvall.	Kayton.
Engelhard.	Leonard.
Few.	McCullough.
Fisher.	McGregor.
Good.	Merritt.
Graves.	Morrison.
Harman.	Morse.
Harrison.	Munson.
Hester.	Riddle.
Hicks.	Savage.
Holloway.	Scott.
Hoskins.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

SPECIAL ORDER SET

Mr. Reed of Dallas moved that House Bill No. 86 be set as a special order for 4:30 o'clock p. m., today.

The motion prevailed.

HOUSE BILL NO. 86 ON SECOND READING

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to define, license, and regulate loan brokers, and the business of loan brokers in amounts of \$500 or less, secured or unsecured; providing for a license fee; providing that application for license shall be in writing under oath; providing for the appointment of an agent to accept service in certain suits; providing for service upon the county judge in certain suits, whether such loan brokers are licensed or not licensed; providing for the filing of a bond by loan brokers for the use of any and all persons who may have cause of action under this Act; declaring usurious contracts within the scope of this Act to be unlawful and against public policy and void as to interest

only; providing additional penalty for usury collected or paid; providing for an attorney's fee in actions for recovery of damages or usury under this Act; etc., and declaring an emergency."

The bill was read second time.

Mr. Reed of Dallas offered the following committee amendment to the bill:

Amend House Bill No. 86 by striking out all below the enacting clause, and inserting the following:

"Section 1. 'A loan broker' is a person, co-partnership, association, or corporation who, directly or indirectly, either as principal or agent, engages in the business of purchasing wages or salaries, or the business of lending money, or the business of negotiating or procuring advances of money, or the business of guaranteeing or endorsing notes and other evidences of indebtedness, in amounts of \$1,000 or less, whether such purchases or loans or other transactions are secured or unsecured.

"Sec. 2. No person, co-partnership, association, or corporation in this State, shall directly or indirectly engage in business of a loan broker, as defined in this Act, without first obtaining a license from the county clerk of the county in which such business is to be conducted and without first filing a bond as hereinafter provided.

"Sec. 3. Application for such license, whether new or renewal, shall be in writing, under oath, and shall contain the full name and address of the applicant, both residence and place of business, including the street and number, municipality, county and State; and if the applicant is a co-partnership or association, of every member thereof, and if a corporation, of each officer and director thereof, also the name under which the business is to be conducted, the address, county, and municipality, with street and number, if any, where the business is to be conducted. In the application for license the applicant shall also name and appoint an agent in the county where the business is to be conducted, upon whom service may be had in the event of any suit filed against such applicant in any action arising from a violation of this Act, provided that in the event such agent shall for any reason not be readily available, service may be had upon

the county judge of the county in which the said license is issued.

"Sec. 4. If any person, co-partnership, association, or corporation, whether residents or non-residents of this State, shall engage in this State, in business as a loan broker, as defined by this Act, whether such business is licensed or not licensed, and shall fail to name and appoint an agent in this county where such business is located, upon whom service may be had in event of suit for damages or usury arising from a violation of the Act, or if said agent be named and appointed, but for any reason is not readily available to accept service in event of such suit as aforesaid, service may be had upon the county judge of the county in which such business is located.

"Sec. 5. Such applicant, at the time of filing such application for a license to engage in business as a loan broker, shall pay to the county clerk the sum of \$75 as an annual license fee for a period terminating on the last calendar day of the current year; provided that if the application is filed after February 1 of any year, the license fee shall be prorated accordingly on a monthly basis.

"Sec. 6. Such license shall state the address at which the business is to be conducted, and the name under which the business is to be conducted, and such license shall be kept conspicuously posted in the place of business of the licensee where it may be readily available for inspection by the public.

"Sec. 7. Licenses to engage in business as a loan broker shall not be transferable or assignable, but shall be valid only for the use of the licensee named therein; nor shall any licensee maintain more than one place of business under the same license, but the county clerk may issue more than one license to the same licensee upon compliance with all the provisions of this Act governing an original issuance of a license for each new license.

"Sec. 8. Such license shall be valid only at the address stated in said license; provided, however, that should a licensee desire to change his place of business to another location within the same municipality, he shall give written notice thereof to the county clerk who shall attach to the

license in writing his record of the change and the date thereof, which shall be authority for the operation of such business under such license at such new location. No change in the place of business of a licensee to a location outside of the original municipality for which the license was issued shall be permitted under the same license.

"Sec. 9. Each applicant for a license to engage in business as a loan broker shall file, together with the application for such license, with the county clerk of the county wherein such business is to be conducted, a bond which shall be approved by the county judge of said county before said license shall be issued. In said bond the applicant shall be the obligor in the sum of two thousand five hundred dollars (\$2,500), with one or more good and sufficient sureties, whose liabilities as such sureties need not exceed the said sum in the aggregate. The said bond shall run to the said county judge and his successors in office for the use of said county judge and his successors, or any person or persons who may have cause of action against the obligor of said bond under the provisions of this Act. The condition of said bond shall be that the obligor when licensed as a loan broker shall fully comply with the provisions of this Act, and that all persons, doing business with said loan broker as such, who may be injured or damaged thereby, may sue upon the said bond and recover for such injury or damage, including suits for the recovery of usurious interest or charges collected in double the amount now allowable by law, together with a reasonable attorney's fee to be allowed by the court. Such person or persons, their legal representatives or assigns, doing business with said obligor or loan broker, who may be injured or damaged thereby, may sue and recover upon said bond from time to time until the full amount is exhausted, but whenever said bond shall become depleted or exhausted, said obligor or loan broker shall file a new or additional bond or bonds to be approved by said county judge, so as to maintain at all times a good and sufficient bond in the full amount of two thousand five hundred dollars (\$2,500).

"Sec. 10. The said bond when so approved by the county judge shall

be filed, together with the application for said license, in the office of the county clerk in the county where such license is issued, and both bond and application shall be recorded at length by said county clerk in a well-bound book kept for that purpose. Upon the filing of such application, properly executed as provided herein, together with the said bond in the office of the county clerk wherein the business is to be conducted, and after approval of said bond by the county judge as herein provided, the said county clerk shall issue to the said applicant a license to engage in business as a loan broker.

"Sec. 11. All contracts, either written or verbal, for the payment of usurious or unlawful interest or charges on any loan of money or purchase of wages or salary, or other transaction within the scope of this Act, are hereby declared to be unlawful and against public policy, and shall be void as to interest only; provided, however, that when usurious or unlawful interest or charges have been paid, collected, or received upon any such contract, the person paying the same or his legal representative may sue and recover upon all usurious or unlawful interest or charges paid, collected, or received, in double the amount now provided by law, from the person, co-partnership, association, or corporation, their successors and assigns, receiving the same. In the event of any suit arising from a violation of this Act, against any loan broker as such, or any person, co-partnership, association, or corporation, doing business as a loan broker, as defined in this Act, whether licensed or not licensed, the court shall allow the plaintiff a reasonable attorney's fee. Such action shall be instituted as now provided by law. All carrying charges, investigation charges, and service charges shall be deemed as a part of the interest charged upon any loan specified in this Act, and in computing the rate of interest, such charges are hereby declared to be a part of the interest.

"Sec. 12. Each and every loan broker shall keep, at his own expense, a well-bound book, hereinafter referred to as the record book, in which shall be recorded all of his transactions with other persons as such loan broker at the time such trans-

actions occur. The record in said record book shall state:

"(a) The correct name and address of the person doing business with said loan broker;

"(b) The security, if any, for the loan or purchase or other transaction;

"(c) The number of the account or transaction;

"(d) The actual amount of cash advanced to said person;

"(e) The actual and full amount to be repaid by said person to said loan broker;

"(f) The terms of such repayment;

"(g) The amount of interest or charges to be paid by the said person to said loan broker on account of such transaction;

"(h) The correct date and amount of all payments received on account of such transaction by said loan broker.

"Each transaction for loan of money, or purchase of wages or salary, or other transaction when recorded in said record book, shall be designated by a number, which numbers shall be assigned consecutively as said transactions occur and are recorded. All items of information pertaining to same transaction, including the information required under Subsections (a), (b), (c), (d), (e), (f), (g), and (h), of this Section, of this Act, when recorded in said record book, shall be recorded together on the same page of said record book in a clear, distinct, and understandable manner. The said record book shall be kept available and open for inspection, and may be examined at any time during regular business hours by borrowers or persons doing business with such loan broker or their legal representatives, or such borrowers, or persons, or their legal representatives who may have had dealings in the past with such loan broker, and the information contained in such record book may be used as evidence in any suit for damages or the recovery of usurious interest or charges arising from any transaction with said loan broker. Said record book shall be kept by said loan broker for two years after the date of the last entry made therein; provided, however, that no loan broker, as herein defined, shall hereafter require any borrower to purchase from such broker any insurance, or other contract or property, or

practice any other subterfuge as a precedent for securing a loan.

"Sec. 13. Each and every loan broker shall deliver, to each borrower or person doing business with such loan broker, at the time any loan of money, or purchase of wages, or salary, or other transaction is made, a statement written or printed in the English language, showing in clear and distinct terms, the information concerning such transaction as described under Subsections (a), (b), (c), (d), (e), (f), (g), and (h), of Section 12, of this Act, which information shall correspond correctly with the information records in the said record book.

"Sec. 14. Each and every loan broker shall deliver, to each borrower or person doing business with such loan broker, a full and complete receipt for all money paid at the time such payment is made, which receipt shall state in clear and distinct terms the correct date and amount of the payment, the name of the borrower, the number of the account on which the payment is made, as recorded in the record book kept by said loan broker, and the balance owing on said account, if any, the name and address of the loan broker to whom such payment is made, and if the payment is received by an employe of said loan broker, the name of such employe. Upon the payment in full of any account or transaction, or when final payment is received on any contract of loan, or purchase of wages, or salary, or other transaction, the said loan broker shall immediately mark 'cancelled' or 'paid' any note, wage assignment, or other document, whole and intact, to the person making such payment, and shall immediately release any mortgage or restore any pledge given as security for such transaction.

"Sec. 15. Any assignment of wages, or salary, or contract for the purchase of wages, or salary, or power of attorney to collect wages or salary, or other transfer of the wages or salary of a married man, or any mortgage, or bill of sale, or chattel mortgage upon the property of a married man, when given as security on any contract of loan, or purchase, or other transaction, within the meaning of this Act, shall be void unless the same shall be made and given with the consent of the wife, and such consent shall be evidenced by the wife's

joining in the assignment, power of attorney to collect, or other transfer of salary or wages, or the mortgage or chattel mortgage, and the signing of her name thereto, and by her separate acknowledgment thereon, taken and certified to by a proper officer substantially in the mode provided for the acknowledgment of a wife in the conveyance of a homestead.

"Sec. 16. Any person, co-partnership, association, or corporation, and the several members, officers, directors, agents, and employes thereof, who shall violate or participate in the violation of any of the provisions of this Act, shall be guilty of a misdemeanor, and, upon conviction in any court of competent jurisdiction, shall be punished by a fine not to exceed \$500, or by imprisonment in the county jail for a term of not more than twelve months, or by both such fine and imprisonment, and each day such business shall be conducted in violation of this Act, and such loan of money or purchase of wages, or salary, or other transaction in violation of this Act, shall constitute a separate offense.

"Sec. 17. This Act shall not apply to any person, co-partnership, association, or corporation doing business under, and as permitted by, the laws of this State or the United States, relating to banks, savings banks, trust companies, building and loan companies, Morris Plan banks, credit unions, rural credit unions, agricultural and live stock pools, and farmers co-operative societies.

"Sec. 18. If any clause, sentence, section, provision, or part of this Act shall be adjudged to be unconstitutional or invalid for any reason, by any court of competent jurisdiction, such judgment shall not impair, affect, or invalidate the remainder of this Act, which shall remain in full force and effect thereafter.

"Sec. 19. Senate Bill No. 7, of the Acts of 1916, Thirty-fourth Legislature, Regular Session, page 48, Chapter 28, and Senate Bill No. 32, of the Acts of 1917, Thirty-fifth Legislature, First Called Session, page 59, Chapter 37, and House Bill No. 122, of the Acts of 1927, Fortieth Legislature, First Called Session, page 38, Chapter 17, and all Acts and parts of Acts, whether general, special, or

local, which relate to the same subject matter as this Act, insofar as they are inconsistent with the provisions of this Act, are hereby repealed.

"Sec. 20. That in view of the fact that there is now no law of sufficient force in this State regulating or punishing loan brokers who wilfully violate the laws of this State, and the further fact that loan brokers are taking advantage of poor, helpless, and ignorant people, and are charging high and usurious rates of interest, and are accepting assignments of wages and chattel mortgages from such persons who are working for a livelihood, create such an emergency and public necessity that the constitutional rule, requiring all bills to be read on three several days, be suspended, and the same is hereby suspended, and that this Act take effect immediately."

Mr. Duvall offered the following amendment to the committee amendment:

Amend committee amendment No. 1, House Bill No. 86, page 7, by striking out all of Section 17.

(Mr. Pope in the Chair.)

Mr. Parkhouse moved the previous question on the pending amendment, amendments on the Speaker's desk, and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Duvall, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows:

Yeas—47

Adamson.	Hartzog.
Aikin.	Head.
Alsup.	Holekamp.
Anderson.	James.
Baker.	Johnson
Barrett.	of Anderson.
Bradley.	Jones of Shelby.
Camp.	Kayton.
Canon.	Lemens.
Clayton.	Long.
Colson.	Lotief.
Dunagan.	Mathis.
Duvall.	McKee.
Dwyer.	Morrison.
Fisher.	Palmer.
Ford.	Patterson.
Fuchs.	Puryear.
Greathouse.	Reader.

Renfro.	Stubbeman.
Roberts.	Turlington.
Rogers	Weinert.
of Ochiltree.	Wells.
Rollins.	Wood.
Russell.	Young.
Stanfield.	

Nays—47

Bedford.	Parkhouse.
Bourne.	Pavlica.
Butler.	Ratliff.
Coombes.	Ray.
Cowley.	Reed of Bowie.
Dean.	Reed of Dallas.
Engelhard.	Rogers of Hunt.
Fain.	Ross.
Glass.	Savage.
Golson.	Shults.
Goodman.	Smith.
Hankamer.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Huddleston.	Tarwater.
Hughes.	Thomas.
Hunter.	Tillery.
Jackson.	Townsend.
Jones of Runnels.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Magee.	Wagstaff.
McCullough.	Walker.
Merritt.	Winningham.
Mitcham.	

Absent

Alexander.	Hunt.
Barron.	Hyder.
Beck.	Jefferson.
Burns.	Jones of Atascosa.
Calvert.	Kyle of Hays.
Cathey.	Laird.
Caven.	Latham.
Celaya.	Leonard.
Chastain.	Lindsey.
Crossley.	Mackay.
Daniel.	McDougald.
Davidson.	McGregor.
Devall.	Metcalfe.
Dunlap.	Moffett.
Few.	Moore.
Good.	Morse.
Graves.	Munson.
Griffith.	Nicholson.
Harman.	Pope.
Harris.	Ramsey.
Harrison.	Riddle.
Hester.	Scarborough.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Holland.	Sullivant.
Holloway.	Tennyson.
Hoskins.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

The Speaker announced that there was not a quorum present.

Mr. Parkhouse moved a call of the House for the purpose of securing and maintaining a quorum until 5:45 o'clock p. m., today, and the call was duly seconded.

Question recurring on the motion for the call of the House, it was lost.

Mr. Van Zandt moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Van Zandt, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was called, and a quorum was announced present.

Question again recurring on the amendment by Mr. Duvall, it was lost by the following vote:

Yeas—46

Adamson.	Lemens.
Aikin.	Lindsey.
Baker.	Long.
Barron.	Mathis.
Camp.	McKee.
Canon.	Moore.
Celaya.	Palmer.
Clayton.	Patterson.
Colson.	Pavlica.
Devall.	Puryear.
Dunagan.	Reader.
Duvall.	Renfro.
Dwyer.	Roberts.
Fisher.	Rogers
Ford.	of Ochiltree.
Fuchs.	Rollins.
Goodman.	Russell.
Head.	Scott.
Hoskins.	Stanfield.
James.	Stovall.
Johnson	Stubbeman.
of Anderson.	Turlington.
Jones of Shelby.	Wood.
Kayton.	Young.

Nays—66

Alexander.	Bedford.
Alsup.	Bourne.
Barrett.	Butler.

Calvert.	Metcalf.
Cathey.	Mitcham.
Coombes.	Moffett.
Cowley.	Morrison.
Dean.	Parkhouse.
Engelhard.	Ratliff.
Fain.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Rogers of Hunt.
Greathouse.	Ross.
Hankamer.	Savage.
Harris.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Smith.
Hodges.	Steward.
Holland.	Stinson.
Huddleston.	Sullivant.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Jackson.	Tillery.
Jefferson.	Townsend.
Jones of Runnels.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lotief.	Weinert.
McGregor.	Wells.
Merritt.	Winningham.

Present—Not Voting

Holekamp.

Absent

Anderson.	Hicks.
Beck.	Holloway.
Bradley.	Hyder.
Burns.	Jones of Atascosa.
Caven.	Kyle of Hays.
Chastain.	Leonard.
Crossley.	Mackay.
Daniel.	Magee.
Davidson.	McCullough.
Dunlap.	McDougald.
Few.	Morse.
Graves.	Munson.
Griffith.	Nicholson.
Harman.	Pope.
Harrison.	Ramsey.
Hartzog.	Riddle.
Hester.	Scarborough.

Absent—Excused

Johnson	McClain.
of Dimmit.	

Mr. Duvall offered the following amendment to the committee amendment:

Amend committee amendment No. 1, House Bill No. 86, Section 1, by adding after the comma following the word "less," in line 7, page 2, the following: "or who charges in-

terest, carrying charges, or investigation charges upon debts contracted for the purchase of goods, wares, or merchandise."

The amendment was lost by the following vote:

Yeas—48

Aikin.	Jones of Shelby.
Alsup.	Lemens.
Baker.	Long.
Barrett.	Lotief.
Camp.	Mathis.
Canon.	McKee.
Colson.	Moore.
Dean.	Palmer.
Devall.	Patterson.
Dunagan.	Pope.
Duvall.	Puryear.
Dwyer.	Reader.
Fisher.	Roberts.
Fuchs.	Rogers
Goodman.	of Ochiltree.
Hartzog.	Rollins.
Head.	Russell.
Hill of Brazoria.	Stanfield.
Hodges.	Stovall.
Holekamp.	Turlington.
Holloway.	Vaughan.
Hoskins.	Walker.
Hunt.	Weinert.
James.	Wood.
Johnson	
of Anderson.	

Nays—60

Adamson.	McGregor.
Alexander.	Merritt.
Bedford.	Metcalfe.
Bourne.	Mitcham.
Bradley.	Morrison.
Calvert.	Pavlica.
Cathey.	Ratliff.
Clayton.	Ray.
Coombes.	Reed of Bowie.
Cowley.	Reed of Dallas.
Engelhard.	Rogers of Hunt.
Fain.	Ross.
Ford.	Savage.
Glass.	Scarborough.
Good.	Scott.
Greathouse.	Shannon.
Harris.	Shults.
Hill of Webb.	Smith.
Holland.	Steward.
Huddleston.	Stinson.
Hughes.	Stubbeman.
Hunter.	Sullivan.
Jackson.	Tarwater.
Jefferson.	Tennyson.
Jones of Runnels.	Thomas.
Laird.	Townsend.
Latham.	Van Zandt.
Magee.	Wagstaff.
McCullough.	Wells.
McDougald.	Winningham.

Present—Not Voting

Tillery.

Absent

Anderson.	Hester.
Barron.	Hicks.
Beck.	Hyder.
Burns.	Jones of Atascosa.
Butler.	Kayton.
Caven.	Kyle of Hays.
Celaya.	Kyle of Palo Pinto.
Chastain.	Leonard.
Crossley.	Lindsey.
Daniel.	Mackay.
Davidson.	Moffett.
Dunlap.	Morse.
Few.	Munson.
Golson.	Nicholson.
Graves.	Parkhouse.
Griffith.	Ramsey.
Hankamer.	Renfro.
Harman.	Riddle.
Harrison.	Young.

Absent—Excused

Johnson McClain.
of Dimmit.

Mr. Duvall offered the following amendments to the committee amendment:

(1)

Amend committee amendment No. 1, House Bill No. 86, Section 3, lines 28, 29, 30, and 31, by inserting a period after the word "Act," in line 28, and striking out the remainder of said Section.

(2)

Amend committee amendment No. 1, House Bill No. 86, Section 12, page 6, by striking out all after the period, following the word "manner," in line 4, to and including the word "broker," in line 13.

(3)

Amend committee amendment No. 1, House Bill No. 86, by striking out all of Section 4.

The amendments were severally adopted.

Mr. Camp offered the following amendment to the committee amendment:

Amend committee amendment No. 1, page 2, line 7, by striking out the following: "in amounts of \$1,000 or less."

The amendment was adopted.

The committee amendment as amended was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 86 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 86

Mr. Reed of Dallas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 86 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—94

Adamson.	Hunter.
Aikin.	Jackson.
Alexander.	Jefferson.
Alsup.	Jones of Runnels.
Barrett.	Jones of Shelby.
Bedford.	Kyle of Hays.
Bourne.	Laird.
Bradley.	Latham.
Butler.	Magee.
Calvert.	Mathis.
Camp.	McCullough.
Canon.	McDougald.
Cathey.	McGregor.
Caven.	McKee.
Celaya.	Merritt.
Chastain.	Metcalfe.
Clayton.	Mitcham.
Coombes.	Moffett.
Cowley.	Moore.
Dean.	Morrison.
Devall.	Pavlica.
Dunlap.	Ratliff.
Dunagan.	Ray.
Duvall.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Engelhard.	Renfro.
Fain.	Riddle.
Ford.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Russell.
Good.	Savage.
Goodman.	Scott.
Graves.	Shannon.
Greathouse.	Shults.
Hankamer.	Smith.
Harris.	Stanfield.
Hartzog.	Stinson.
Hill of Webb.	Stubbeman.
Holekamp.	Sullivan.
Holland.	Tarwater.
Holloway.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.

Van Zandt.
Wagstaff.
Weinert.

Wells.
Wood.

Nays—23

Baker.	Puryear.
Colson.	Reader.
Fisher.	Roberts.
Head.	Rollins.
Hill of Brazoria.	Ross.
James.	Steward.
Kayton.	Stovall.
Lemens.	Tennyson.
Long.	Vaughan.
Lotief.	Walker.
Palmer.	Winningham.
Patterson.	

Absent

Anderson.	Johnson
Barron.	of Anderson.
Beck.	Jones of Atascosa.
Burns.	Kyle of Palo Pinto.
Crossley.	Leonard.
Daniel.	Lindsey.
Davidson.	Mackay.
Few.	Morse.
Griffith.	Munson.
Harman.	Nicholson.
Harrison.	Parkhouse.
Hester.	Pope.
Hicks.	Ramsey.
Hodges.	Scarborough.
Hoskins.	Young.
Hyder.	

Absent—Excused

Johnson	McClain.
of Dimmit.	

LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Hoskins was granted leave of absence for Monday of this week, on account of important business, on motion of Mr. Engelhard.

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

H. B. No. 100, "An Act making appropriation for the support and maintenance of the General Land Office, and particularly making an appropriation for a special audit to be made by or under the direction of the Commissioner of the General Land Office of all books and accounts of oil companies relative to the bonus and rentals due on sold public school lands, and declaring an emergency."

H. C. R. No. 20, Relative to appropriation for Firemen's Training School.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate Bill No. 46, and requests the appointment of a conference committee. The following have been appointed on the part of the Senate: Senators Woodward, Small, Redditt, Martin, and Rawlings.

The Senate has passed

S. B. No. 65, A bill to be entitled "An Act amending Section 1, of Chapter 207, Acts of the Forty-third Legislature, so as to authorize the Highway Commission to institute condemnation proceedings on behalf of the State, and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act granting permission to The Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas, upon a purported contract; fixing venues; making an appropriation to cover the expenses of the Attorney General in defending such suit; providing for the payment of any judgment which may be recovered against the Highway Commission as such and/or the State of Texas; providing for appeals, and declaring an emergency."

H. B. No. 63, A bill to be entitled "An Act to regulate the business of transporting persons for hire or for compensation over the public roads, highways, or bridges of the State of Texas, whether as a common carrier, contract or charter carrier, or as a transportation agency or travel bureau for obtaining a co-traveler or co-travelers to share the expense of a trip or to act as an intermediary in connection therewith as a broker for hire, agent, or otherwise, whereby the expense of a trip or trips is to be shared, or to solicit, induce, or encourage another to purchase an interest in a motor vehicle in violation of this Act unless the person, driver, or

chauffeur in charge of the motor vehicle shall first comply with the laws of this State in connection with the obtaining of proper licenses; etc., and declaring an emergency."

S. B. No. 103, A bill to be entitled "An Act to provide for the granting of charters for corporations, and the renewal thereof, for the purchase, sale, and distribution of water and water rights, and the building of pipe lines, plants, and the equipment thereof; to provide the conditions under which charters for the same may be granted, and to authorize such corporations to borrow money from the Government of the United States of America or any agency thereof, and to issue its notes and bonds as evidence of its indebtedness; to authorize the issuance of stock on which shall be paid no dividends, and to provide for the distribution of the profits of such corporation to towns, cities, and other political subdivisions of the State, as well as private corporations and individuals who shall be customers of such corporation in the purchase of water, said dividends to be issued in direct proportion to the amount of business transacted by such contractees with said corporation; to provide the method of selecting the governing body and officers of such corporation; to authorize such corporation to lease, purchase, own, and hold such property, real and personal, as may be required for its purposes; to limit the salary and expenses to be paid to the executive officers and legal representatives of such corporation; to grant to such corporation power of eminent domain to obtain right of ways for pipe lines and other necessary sites, and to authorize such corporations to make contracts for the sale and delivery of water in exchange for right of ways, if in the judgment of the board of directors of said corporation the same be necessary; and declare an emergency requiring this bill to become operative immediately."

S. B. No. 75, A bill to be entitled "An Act making appropriations to pay contingent expenses of State prosecuting attorneys before the Court of Criminal Appeals, and declaring an emergency."

S. B. No. 98, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and

Mechanical College of Texas to purchase, acquire, and construct permanent improvements, including dormitories, stadia, and athletic fields, and for the improvement of such structures heretofore erected; providing for the equipping and furnishing of the same; providing for the insurance and registration of revenue bonds and revenue notes, and for disposition and pledging of the revenues derived from the operation and control of such dormitories, athletic fields, stadia, and other improvements, authorizing the purchase and sale of certain lands; imposing the power to contract, and vesting general authority in the Board of Directors for the purposes of carrying out the provisions hereof, and declaring an emergency."

Respectfully,
BOB BARKER,
 Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 65, to the Committee on Judiciary.

Senate Bill No. 101, to the Committee on State Affairs.

Senate Bill No. 75, to the Committee on Appropriations.

Senate Bill No. 103, to the Committee on Municipal and Private Corporations.

Senate Bill No. 98, to the Committee on Education.

REQUEST OF SENATE GRANTED

On motion of Mr. Stovall, the House granted the request of the Senate for the appointment of a conference committee on Senate Bill No. 46.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Vaughan, Senate Bill No. 79 was ordered not printed.

On motion of Mr. Stubbeman, Senate Bill No. 52 was ordered not printed.

On motion of Mr. Leonard, Senate Bill No. 69 was ordered not printed.

RECESS

Mr. Coombes moved that the House adjourn until 7:30 o'clock p. m., today.

Mr. Parkhouse moved that the House recess to 7:30 o'clock p. m., today.

Mr. Lotief moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Lotief, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—54

Adamson.	Mathis.
Alexander.	McGregor.
Baker.	Merritt.
Barrett.	Mitcham.
Barron.	Moffett.
Beck.	Moore.
Bourne.	Morrison.
Butler.	Patterson.
Camp.	Pavlica.
Cowley.	Puryear.
Davidson.	Reed of Bowie.
Devall.	Reed of Dallas.
Dunagan.	Renfro.
Duvall.	Rollins.
Fisher.	Savage.
Fuchs.	Scarborough.
Glass.	Shannon.
Goodman.	Stanfield.
Harris.	Stinson.
Hill of Webb.	Stovall.
Holloway.	Tillery.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Jackson.	Vaughan.
Johnson	Walker.
of Anderson.	Weinert.
Kyle of Hays.	Winningham.
Lotief.	

Nays—58

Aikin.	Head.
Alsop.	Hill of Brazoria.
Bedford.	Hodges.
Bradley.	Holekamp.
Canon.	Holland.
Clayton.	Hoskins.
Colson.	Hunt.
Coombes.	Hunter.
Dean.	James.
Dwyer.	Jefferson.
Engelhard.	Jones of Rannels.
Fain.	Jones of Shelby.
Ford.	Laird.
Golson.	Latham.
Greathouse.	Lemens.
Hankamer.	Leonard.
Harman.	Magee.
Hartzog.	McCullough.

Metcalfe.
Palmer.
Pope.
Ratliff.
Ray.
Roberts.
Rogers of Hunt.
Rogers
of Ochiltree.
Ross.
Russell.
Scott.

Shults.
Steward.
Stubbeman.
Sullivant.
Tarwater.
Tennyson.
Thomas.
Townsend.
Wagstaff.
Wells.
Wood.

Absent

Anderson.	Jones of Atascosa.
Burns.	Kayton.
Calvert.	Kyle of Palo Pinto.
Cathey.	Lindsey.
Caven.	Long.
Celaya.	Mackay.
Chastain.	McDougald.
Crossley.	McKee.
Daniel.	Morse.
Dunlap.	Munson.
Few.	Nicholson.
Good.	Parkhouse.
Graves.	Ramsey.
Griffith.	Reader.
Harrison.	Riddle.
Hester.	Smith.
Hicks.	Young.
Hyder.	

Absent—Excused

Johnson of Dimmit.	McClain.
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Question next recurring on the motion by Mr. Parkhouse, it prevailed by the following vote:

Yeas—71

Aikin.	Holland.
Alsup.	Hughes.
Anderson.	Hunt.
Barrett.	Hunter.
Barron.	Jefferson.
Bedford.	Jones of Runnels.
Bradley.	Jones of Shelby.
Clayton.	Kayton.
Coombes.	Laird.
Dean.	Latham.
Engelhard.	Lemens.
Fain.	Leonard.
Ford.	Magee.
Fuchs.	McCullough.
Golson.	McDougald.
Goodman.	McGregor.
Greathouse.	Merritt.
Hankamer.	Mitcham.
Harman.	Parkhouse.
Hartzog.	Patterson.
Head.	Pope.
Hill of Brazoria.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.

Reed of Dallas.
Roberts.
Rogers
of Ochiltree.
Ross.
Russell.
Savage.
Scott.
Shannon.
Shults.
Stanfield.
Steward.

Stinson.
Stovall.
Stubbeman.
Sullivant.
Tennyson.
Thomas.
Townsend.
Vaughan.
Wagstaff.
Weinert.
Wells.
Wood.

Nays—44

Adamson.	Kyle of Hays.
Alexander.	Lindsey.
Baker.	Long.
Bourne.	Lotief.
Butler.	Mathis.
Camp.	Moffett.
Canon.	Moore.
Colson.	Morrison.
Cowley.	Palmer.
Davidson.	Pavlica.
Devall.	Puryear.
Dunlap.	Reed of Bowie.
Duvall.	Renfro.
Dwyer.	Rogers of Hunt.
Fisher.	Rollins.
Glass.	Scarborough.
Harris.	Tarwater.
Holloway.	Tillery.
Huddleston.	Turlington.
Jackson.	Van Zandt.
James.	Walker.
Johnson of Anderson.	Winningham.

Absent

Beck.	Hicks.
Burns.	Hill of Webb.
Calvert.	Hoskins.
Cathey.	Hyder.
Caven.	Jones of Atascosa.
Celaya.	Kyle of Palo Pinto.
Chastain.	Mackay.
Crossley.	McKee.
Daniel.	Metcalfe.
Dunagan.	Morse.
Few.	Munson.
Good.	Nicholson.
Graves.	Ramsey.
Griffith.	Riddle.
Harrison.	Smith.
Hester.	Young.

Absent—Excused

Johnson of Dimmit.	McClain.
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The House, accordingly, at 6:05 o'clock p. m., took recess to 7:30 o'clock p. m., today.

NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

(By Unanimous Consent)

Mr. Fisher was granted leave of absence for the evening session, on account of illness, on motion of Mr. Alsup.

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

On motion of Mr. Hunt, the following communication was ordered printed in the Journal:

Austin, Texas, October 10, 1933.

To the Honorable Speaker and Members of the House of Representatives of the Forty-third Legislature of the State of Texas:

We cannot hope to convey in words our appreciation of your kindness on the occasion of our recent bereavement, but ask you to believe us most sincerely and deeply grateful. The darkest hour we have known was made less hard to bear by your expressions of regret and sympathy. We were reminded that our affliction was not ours alone; that others had loved our loved one and grieved with us at her passing. We received many tender messages offering us consolation when we most needed it, and telling us she whom we mourned had touched many hearts, and that the influence of her character and life remained a force for good in many lives. The messages, the spoken words of neighbors in all walks of life, and the beautiful floral offerings seemed to answer the prayer of a favorite poem found preserved in her personal Testament and Psalms:

"All you who love me well, when
I am dead

Look on my quiet face that
laughed the while

It lived. Restrain your tears,
and give instead

A gentle word, an understand-
ing smile.

Oh, if you really loved me, do
not cry

To see me lying there, my
laughter stilled—

Surely you know that I can nev-
er die—

I for whom every day is
strangely filled

With some sweet happiness.
Gather me flowers

And pile them high for me to
come to see—

They will remind my spirit of
the hours

Of joy I spent on earth. Think
of me free

Of body's pain, and you will find
your grief

Changed to an overwhelming,
sweet relief."

Your resolution, preserved and cherished, will be a source of comfort to us through the coming years. We shall read it again and again, and on every occasion shall pray God to send you His richest blessings.

J. M. MELSON,
MARGARET MELSON.

BILLS ORDERED NOT PRINTED

(By Unanimous Consent)

On motion of Mr. Metcalfe, Senate Bill No. 65 was ordered not printed.

On motion of Mr. Tennyson, Senate Bill No. 80 was ordered not printed.

On motion of Mr. Hartzog, House Bill No. 213 was ordered not printed.

On motion of Mr. Harman, Senate Bill No. 69 was ordered not printed.

ENDORING ADAM R. JOHNSON FOR CERTAIN POSITION

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 22, Endorsing Adam R. Johnson for certain position.

Whereas, The State of Texas, the leading Democratic State of the Nation, has had limited consideration in the matter of general appointments, under the present National Administration; and

Whereas, The State of Texas is entitled to more consideration in the matter of general appointments; and

Whereas, There is a vacancy existing on the Board of Parole; and

Whereas, The Hon. Adam R. Johnson, of Austin, has been widely en-

dorsed for the position on the Board of Parole; therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That we urge upon President Franklin D. Roosevelt, the appointment of Mr. Johnson, feeling that he is in every way qualified for this position.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 178 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 178, A bill to be entitled "An Act providing for the pledging of local school funds from district taxes and other local sources to be used to pay the interest and sinking fund on a loan or loans from the Federal Government for certain purposes; authorizing the pledging of annual tax receipts by the board of trustees, with the consent and approval of the county superintendent and the county board of school trustees; authorizing the making of contracts with lenders upon certain terms; providing for a sinking fund for the loans so made; requiring a certain amount to be placed in the sinking fund, and the greater amount where necessary; authorizing boards of trustees, with the consent and approval of the county superintendent and the county board of school trustees, to execute quitclaim deeds to school sites to the Federal Government; etc., and declaring an emergency."

The bill was read second time.

Mr. Ross offered the following amendments to the bill:

(1)

Amend House Bill No. 178 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. From and after the effective date of this Act, the board of trustees of any common school district of this State, containing not less than one hundred and not more than one

hundred and seventy-five scholastics, according to the last approved census roll, on file in the office of the county superintendent of said county, and being located in counties containing a population of not less than thirteen thousand twenty and not more than thirteen thousand seventy-five, according to the last preceding Federal Census, or with the consent and approval of the county school superintendent and the county board of education, shall be authorized to levy and collect a special school tax, not to exceed one dollar (\$1) on the one hundred-dollar property valuation, including the taxes now being levied and collected in said districts for maintenance and/or bond purposes, for the purpose of paying the interest and sinking fund on a loan or loans to be obtained from the Federal Government, said loan or loans to be used for the purpose of buying, building, or repairing buildings to be used for school purposes only; said board of trustees, with the consent of the county school superintendent and the county board of education, is hereby authorized to pledge the tax receipts to be collected from the said special school tax levy for a period of years not to exceed thirty to retire said loan or loans and to pay the interest thereon as it may accrue; and said board of trustees with the consent of the county school superintendent and the county board of education, is hereby further authorized to execute a contract with the Federal Government to carry out the purposes of this Act.

"Sec. 2. The board of trustees of any common school district within this State, containing not less than one hundred and not more than one hundred and seventy-five scholastics, according to the last approved census roll, on file in the office of the county superintendent of said county, and being located in counties containing a population of not less than thirteen thousand nine hundred twenty (13,920) and not more than thirteen thousand nine hundred seventy-five (13,975), according to the last preceding Federal Census, together with the consent of the county school superintendent and the county board of education, shall be authorized to contract with the Federal Government to erect a building or buildings to be used for school purposes only on sites owned

by said school districts and to execute to the Federal Government a quitclaim deed to said school sites for the construction of said building or buildings, providing a contract is made with the Federal Government to lease or rent to said board of trustees the building or buildings so constructed, and that the amount of money so paid as rent under the terms of said lease shall be applied as purchase money, and when the amount of rent so paid is equivalent to the cost of erecting such building or buildings, to convey fee simple title to such school site or sites to such building or buildings erected thereon, to the board of trustees of such common school districts. The board of trustees of said districts, together with the county school superintendent and county board of education, are hereby authorized to enter into such lease contract with the Federal Government and to pledge the tax receipts derived from the local taxes levied and collected for the purpose of paying the rent or lease on buildings hereinabove described in accordance with the terms of said contract and in no case shall be leased for a longer term than thirty years.

"Sec. 3. All laws or parts of laws in conflict herewith are hereby specifically repealed.

"Sec. 4. The fact that at the present time it is impossible for the school districts to borrow money from the Federal Government to build or repair buildings, and the further fact that the school districts cannot enter into lease contracts on the plan suggested by the Federal Reconstruction Finance Corporation, and the further fact that it is highly desirable at this time to enter into such contracts due to cheap labor and cheap materials, and in keeping with the National Recovery Act, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 178 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 178,

A BILL

To Be Entitled

An Act providing for the levying of a special school tax not to exceed a certain rate for the purpose of paying interest and sinking fund on a loan or loans from the Federal Government; authorizing the boards of trustees of any common school district of this State, containing not less than one hundred and not more than one hundred seventy-five scolastics, according to the last approved census roll, on file in the office of said county; and being located in counties containing a population of not less than thirteen thousand nine hundred twenty and not more than thirteen thousand nine hundred and seventy-five, according to the last preceding Federal Census, together with the consent and approval of the county school superintendent and the county board of education, to pledge tax receipts to pay same; providing for contract with Federal Government for erection of buildings for school purposes; authorizing boards of trustees to execute quitclaim deeds therefor; providing for creation of lease contracts upon certain terms whereby the rent money becomes a part of the purchase price of school buildings and school property; providing for the final ownership of property by school boards; providing for a term for pledge and/or lease; authorizing boards of trustees, with the consent of the county school superintendent and county board of education, to pledge tax receipts in payment of said lease contract; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 178 was then passed to engrossment.

HOUSE BILL NO. 141 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 141, A bill to be entitled "An Act making it unlawful to kill squirrels in Coleman County at any time; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Kyle of Palo Pinto offered the following amendment to the bill:

Amend House Bill No. 141 by adding "Palo Pinto County" to the provisions of the said bill, and amend the caption to conform.

The amendment was adopted.

House Bill No. 141 was then passed to engrossment.

HOUSE BILL NO. 123 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 123, A bill to be entitled "An Act creating a closed season upon wild turkey for a period of five (5) years in the Counties of Liberty and Hardin, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild turkey within said Counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 123 ON THIRD READING

Mr. Ross moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 123 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Calvert.
Aikin.	Canon.
Alexander.	Cathey.
Alsup.	Chastain.
Barron.	Colson.
Bedford.	Coombes.
Bourne.	Daniel.
Bradley.	Dean.
Burns.	Dunagan.

Duvall.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Palmer.
Golson.	Parkhouse.
Good.	Pavlica.
Goodman.	Puryear.
Graves.	Ratliff.
Griffith.	Ray.
Harman.	Reader.
Harris.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scott.
Hunter.	Shannon.
Hyder.	Shults.
Jackson.	Stanfield.
James.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kyle of Hays.	Stubbeman.
Laird.	Tarwater.
Latham.	Tennyson.
Lemens.	Thomas.
Leonard.	Tillery.
Lindsey.	Vaughan.
Magee.	Wagstaff.
Mathis.	Walker.
McCullough.	Weinert.
McDougald.	Winningham.
McGregor.	Wood.
McKee.	

Absent

Anderson.	Jefferson.
Baker.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Butler.	Kayton.
Camp.	Kyle of Palo Pinto.
Caven.	Long.
Celaya.	Lotief.
Clayton.	Mackay.
Cowley.	Morse.
Crossley.	Munson.
Davidson.	Nicholson.
Devall.	Patterson.
Dunlap.	Pope.
Few.	Ramsey.
Greathouse.	Renfro.
Hankamer.	Scarborough.
Harrison.	Smith.
Hester.	Sullivan.
Hill of Webb.	Townsend.
Holloway.	Turlington.

Van Zandt. Young.
Wells.

Absent—Excused

Fisher. McClain.
Johnson
of Dimmit.

The Speaker then laid House Bill No. 123 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Adamson.	Latham.
Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Bedford.	Magee.
Bourne.	Mathis.
Bradley.	McCullough.
Burns.	McDougald.
Calvert.	McGregor.
Canon.	McKee.
Cathey.	Merritt.
Celaya.	Metcalf.
Chastain.	Mitcham.
Colson.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Daniel.	Palmer.
Dean.	Parkhouse.
Devall.	Pavlica.
Dunagan.	Puryear.
Dwyer.	Ratliff.
Fain.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Griffith.	of Ochiltree.
Harman.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hicks.	Scott.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Hyder.	Tillery.
Jackson.	Vaughan.
James.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Winningham.
Kyle of Palo Pinto.	Wood.
Laird.	

Absent

Anderson.	Jones of Atascosa.
Baker.	Kayton.
Barrett.	Kyle of Hays.
Barron.	Long.
Beck.	Lotief.
Butler.	Mackay.
Camp.	Morse.
Caven.	Munson.
Clayton.	Nicholson.
Crossley.	Patterson.
Davidson.	Pope.
Dunlap.	Ramsey.
Duvall.	Renfro.
Engelhard.	Scarborough.
Few.	Shannon.
Greathouse.	Smith.
Hankamer.	Sullivant.
Harrison.	Townsend.
Hester.	Turlington.
Hill of Webb.	Van Zandt.
Holloway.	Weinert.
Jefferson.	Wells.
Johnson	Young.
of Anderson.	

Absent—Excused

Fisher. McClain.
Johnson
of Dimmit.

Mr. Moore moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., today, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no Member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Moore, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

HOUSE BILL NO. 141 ON THIRD READING

Mr. Golson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 141 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Alsup.
Aikin.	Barron.
Alexander.	Bedford.

Bourne.	Magee.
Bradley.	Mathis.
Burns.	McCullough.
Calvert.	McDougald.
Canon.	McGregor.
Chastain.	McKee.
Colson.	Merritt.
Coombes.	Metcalf.
Daniel.	Mitcham.
Dean.	Moffett.
Dunagan.	Moore.
Dwyer.	Morrison.
Engelhard.	Palmer.
Fain.	Parkhouse.
Ford.	Pavlica.
Fuchs.	Pope.
Glass.	Puryear.
Golson.	Ratliff.
Good.	Ray.
Goodman.	Reader.
Graves.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Harman.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Head.	Rogers
Hicks.	of Ochiltree.
Hill of Brazoria.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Shannon.
Hoskins.	Shults.
Huddleston.	Stanfield.
Hughes.	Steward.
Hunt.	Stinson.
Hunter.	Stovall.
Hyder.	Stubbeman.
Jackson.	Tarwater.
James.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Winningham.
Leonard.	Wood.
Lindsey.	Young.

Absent

Anderson.	Few.
Baker.	Hankamer.
Barrett.	Harrison.
Beck.	Hester.
Butler.	Hill of Webb.
Camp.	Holloway.
Cathey.	Jefferson.
Caven.	Johnson
Celaya.	of Anderson.
Clayton.	Jones of Atascosa.
Cowley.	Kayton.
Crossley.	Kyle of Hays.
Davidson.	Long.
Devall.	Lotief.
Dunlap.	Mackay.
Duvall.	Morse.

Munson.	Smith.
Nicholson.	Sullivant.
Patterson.	Townsend.
Ramsey.	Turlington.
Rollins.	Van Zandt.
Scarborough.	Weinert.
Scott.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid House Bill No. 141 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mr. Golson moved to reconsider the vote by which House Bill No. 141 was passed.

The motion to reconsider prevailed.

House Bill No. 141 was then passed by the following vote:

Yeas—100

Adamson.	Holland.
Aikin.	Hoskins.
Alexander.	Hughes.
Alsup.	Hunt.
Baker.	Hunter.
Barron.	Hyder.
Bedford.	Jackson.
Bourne.	James.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Palo Pinto.
Canon.	Laird.
Cathey.	Latham.
Chastain.	Lemens.
Colson.	Leonard.
Coombes.	Lindsey.
Dean.	McCullough.
Dunagan.	McDougald.
Dwyer.	McGregor.
Engelhard.	McKee.
Fain.	Merritt.
Ford.	Metcalf.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Parkhouse.
Graves.	Patterson.
Griffith.	Pavlica.
Harman.	Pope.
Harris.	Puryear.
Hartzog.	Ratliff.
Head.	Ray.
Hicks.	Reader.
Hodges.	Reed of Bowie.
Holekamp.	Reed of Dallas.

Riddle.	Stinson.
Roberts.	Stovall.
Rogers of Hunt.	Stubbeman.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Ross.	Thomas.
Russell.	Turlington.
Savage.	Vaughan.
Scarborough.	Wagstaff.
Scott.	Walker.
Shannon.	Weinert.
Shults.	Winningham.
Stanfield.	Wood.
Steward.	

Present—Not Voting

Tillery.

Absent

Anderson.	Jefferson.
Barrett.	Johnson
Beck.	of Anderson.
Camp.	Jones of Atascosa.
Caven.	Kyle of Hays.
Celaya.	Long.
Clayton.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Daniel.	Mathis.
Davidson.	Morse.
Devall.	Munson.
Dunlap.	Nicholson.
Duvall.	Palmer.
Few.	Ramsey.
Greathouse.	Renfro.
Hankamer.	Rollins.
Harrison.	Smith.
Hester.	Sullivant.
Hill of Brazoria.	Townsend.
Hill of Webb.	Van Zandt.
Holloway.	Wells.
Huddleston.	Young.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 178 ON THIRD READING

Mr. Ross moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 178 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Bourne.
Aikin.	Bradley.
Alexander.	Burns.
Alsup.	Calvert.
Baker.	Canon.
Barron.	Celaya.
Bedford.	Colson.

Coombes.	McKee.
Daniel.	Merritt.
Dean.	Metcalfe.
Dunagan.	Mitcham.
Duvall.	Moffett.
Engelhard.	Moore.
Fain.	Morrison.
Ford.	Palmer.
Fuchs.	Parkhouse.
Glass.	Patterson.
Good.	Pavlica.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Hoskins.	of Ochiltree.
Huddleston.	Rollins.
Hughes.	Ross.
Hunt.	Russell.
Hyder.	Scarborough.
Jackson.	Scott.
James.	Shults.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Stinson.
Kyle of Palo Pinto.	Stovall.
Laird.	Stubbeman.
Latham.	Tarwater.
Lemens.	Tennyson.
Leonard.	Thomas.
Lindsey.	Tillery.
Long.	Vaughan.
Magee.	Wagstaff.
Mathis.	Walker.
McCullough.	Winningham.
McDougald.	Wood.
McGregor.	

Nays—1

Dwyer.

Absent

Anderson.	Harrison.
Barrett.	Hester.
Beck.	Hill of Webb.
Butler.	Holloway.
Camp.	Hunter.
Cathey.	Jefferson.
Caven.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Cowley.	Kayton.
Crossley.	Kyle of Hays.
Davidson.	Lotief.
Devall.	Mackay.
Dunlap.	Morse.
Few.	Munson.
Golson.	Nicholson.
Goodman.	Renfro.
Hankamer.	Savage.

Shannon.
Smith.
Steward.
Sullivant.
Townsend.

Turlington.
Van Zandt.
Weinert.
Wells.
Young.

Thomas.
Tillery.
Vaughan.
Wagstaff.

Walker.
Winningham.
Wood.

Absent—Excused

Fisher.
Johnson
of Dimmit.

The Speaker then laid House Bill No. 178 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.	Jones of Runnels.
Aikin.	Jones of Shelby.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Baker.	Latham.
Barron.	Lemens.
Bedford.	Lindsey.
Bourne.	Long.
Bradley.	Magee.
Burns.	Mathis.
Calvert.	McCullough.
Canon.	McDougald.
Cathey.	McGregor.
Celaya.	McKee.
Chastain.	Merritt.
Colson.	Metcalfe.
Coombes.	Mitcham.
Daniel.	Moffett.
Dean.	Moore.
Dunagan.	Morrison.
Duvall.	Palmer.
Dwyer.	Parkhouse.
Engelhard.	Pavlica.
Fain.	Puryear.
Ford.	Ramsey.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reader.
Good.	Reed of Bowie.
Goodman.	Reed of Dallas.
Graves.	Riddle.
Griffith.	Roberts.
Harman.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hicks.	Ross.
Hill of Brazoria.	Russell.
Hodges.	Scarborough.
Holekamp.	Scott.
Holland.	Shannon.
Hoskins.	Shults.
Huddleston.	Stanfield.
Hughes.	Steward.
Hunt.	Stinson.
Hyder.	Stovall.
Jackson.	Stubbeman.
James.	Tennyson.

Absent

Anderson.	Jones of Atascosa.
Barrett.	Kayton.
Beck.	Kyle of Hays.
Butler.	Leonard.
Camp.	Lotief.
Caven.	Mackay.
Clayton.	Morse.
Cowley.	Munson.
Crossley.	Nicholson.
Davidson.	Patterson.
Devall.	Pope.
Dunlap.	Renfro.
Few.	Savage.
Greathouse.	Smith.
Hankamer.	Sullivant.
Harrison.	Tarwater.
Hester.	Townsend.
Hill of Webb.	Turlington.
Holloway.	Van Zandt.
Hunter.	Weinert.
Jefferson.	Wells.
Johnson	Young.
of Anderson.	

Absent—Excused

Fisher.
Johnson
of Dimmit.

HOUSE BILL NO. 164 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 164, A bill to be entitled "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than 24,060, nor more than 24,100, according to the last Federal Census, and providing for the manner and the fund from which said salaries shall be paid, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 164 ON THIRD
READING

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No 164 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Adamson.	Lindsey.
Aikin.	Long.
Alexander.	Magee.
Alsup.	Mathis.
Baker.	McCullough.
Barron.	McDougald.
Bedford.	McGregor.
Bourne.	McKee.
Bradley.	Merritt.
Burns.	Metcalfe.
Calvert.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Chastain.	Morrison.
Coombes.	Parkhouse.
Daniel.	Pavlica.
Dean.	Pope.
Dunagan.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Griffith.	of Ochiltree.
Harman.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Scott.
Hicks.	Shannon.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.
Hunt.	Stubbeman.
Hunter.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.
Kyle of Palo Pinto.	Wagstaff.
Laird.	Walker.
Latham.	Winningham.
Lemens.	Wood.
Leonard.	

Absent

Anderson.	Devall.
Barrett.	Dunlap.
Beck.	Duvall.
Butler.	Few.
Camp.	Greathouse.
Caven.	Hankamer.
Celaya.	Harrison.
Clayton.	Hester.
Colson.	Hill of Brazoria.
Cowley.	Hill of Webb.
Crossley.	Holloway.
Davidson.	Huddleston.

Hyder.	Patterson.
Jefferson.	Renfro.
Johnson	Savage.
of Anderson.	Scarborough.
Jones of Atascosa.	Smith.
Kyle of Hays.	Sullivant.
Lotief.	Tillery.
Mackay.	Townsend.
Morse.	Weinert.
Munson.	Wells.
Nicholson.	Young.
Palmer.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid House Bill No. 164 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101

Adamson.	Hunter.
Aikin.	Hyder.
Alexander.	Jackson.
Alsup.	James.
Baker.	Jones of Runnels.
Barron.	Jones of Shelby.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Bradley.	Latham.
Burns.	Lemens.
Calvert.	Leonard.
Canon.	Lindsey.
Cathey.	Long.
Chastain.	Lotief.
Colson.	Magee.
Daniel.	McCullough.
Dean.	McDougald.
Dunagan.	McGregor.
Dwyer.	McKee.
Fain.	Merritt.
Ford.	Metcalfe.
Fuchs.	Mitcham.
Glass.	Moffett.
Golson.	Moore.
Good.	Morrison.
Goodman.	Parkhouse.
Graves.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Harman.	Ratliff.
Harris.	Ray.
Hartzog.	Reader.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Riddle.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers
Hoskins.	of Ochiltree.
Hughes.	Rollins.
Hunt.	Ross.

Russell.	Tarwater.
Scarborough.	Tennyson.
Scott.	Thomas.
Shannon.	Turlington.
Shults.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Wells.
Stovall.	Winningham.
Stubbeman.	Wood.

Absent

Anderson.	Jefferson.
Barrett.	Johnson
Beck.	of Anderson.
Butler.	Jones of Atascosa.
Camp.	Kayton.
Caven.	Kyle of Hays.
Celaya.	Mackay.
Clayton.	Mathis.
Coombes.	Morse.
Cowley.	Munson.
Crossley.	Nicholson.
Davidson.	Palmer.
Devall.	Patterson.
Dunlap.	Ramsey.
Duvall.	Renfro.
Engelhard.	Savage.
Few.	Smith.
Hankamer.	Sullivant.
Harrison.	Tillery.
Hester.	Townsend.
Hill of Webb.	Van Zandt.
Holloway.	Weinert.
Huddleston.	Young.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 203 ON SECOND
READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 203, A bill to be entitled "An Act to amend Acts, 1931, Forty-second Legislature, First Called Session, page 5, Chapter 3, relating to fishing in Gillespie and other counties, so as to change the tackle that may be lawfully used; the period for the open season; the legal length of certain fish; the number of fish which may be caught in Kendall County; prescribing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 203 ON THIRD
READING

Mr. Holekamp moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 203 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Lindsey.
Aikin.	Long.
Alexander.	Magee.
Alsup.	McCullough.
Baker.	McDougald.
Barron.	McKee.
Bedford.	Merritt.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Burns.	Moffett.
Butler.	Moore.
Calvert.	Morrison.
Canon.	Parkhouse.
Cathey.	Patterson.
Chastain.	Pavlica.
Colson.	Pope.
Coombes.	Puryear.
Daniel.	Ramsey.
Dean.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reader.
Fain.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Ross.
Griffith.	Russell.
Harman.	Scarborough.
Harris.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hicks.	Stanfield.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Stovall.
Hoskins.	Stubbeman.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Hyder.	Tillery.
Jackson.	Turlington.
James.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Winningham.
Latham.	Wood.
Lemens.	

Absent

Anderson.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Camp.	Kayton.
Caven.	Kyle of Hays.
Celaya.	Leonard.
Clayton.	Lotief.
Cowley.	Mackay.
Crossley.	Mathis.
Davidson.	McGregor.
Devall.	Morse.
Dunlap.	Munson.
Duvall.	Nicholson.
Dwyer.	Palmer.
Few.	Renfro.
Hankamer.	Savage.
Harrison.	Smith.
Hester.	Sullivant.
Hill of Brazoria.	Townsend.
Hill of Webb.	Van Zandt.
Holloway.	Wells.
Huddleston.	Young.
Jefferson.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid House Bill No. 203 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—102

Adamson.	Greathouse.
Aikin.	Harman.
Alexander.	Harris.
Alsup.	Hartzog.
Baker.	Head.
Barron.	Hicks.
Bedford.	Hodges.
Bourne.	Holekamp.
Burns.	Holland.
Butler.	Hoskins.
Calvert.	Hughes.
Canon.	Hunter.
Cathey.	Hyder.
Chastain.	Jackson.
Clayton.	James.
Colson.	Jones of Runnels.
Coombes.	Jones of Shelby.
Daniel.	Kayton.
Dean.	Kyle of Palo Pinto.
Dunagan.	Laird.
Engelhard.	Latham.
Fain.	Lemens.
Ford.	Leonard.
Fuchs.	Lindsey.
Glass.	Long.
Golson.	Mathis.
Good.	McCullough.
Goodman.	McDougald.
Graves.	McGregor.

McKee.	Rollins.
Merritt.	Ross.
Metcalfe.	Russell.
Mitcham.	Scarborough.
Moffett.	Scott.
Moore.	Shults.
Morrison.	Stanfield.
Parkhouse.	Steward.
Patterson.	Stinson.
Pavlica.	Stovall.
Pope.	Stubbeman.
Purveyar.	Tarwater.
Ramsey.	Tennyson.
Ratliff.	Thomas.
Ray.	Tillery.
Reader.	Turlington.
Reed of Bowie.	Vaughan.
Reed of Dallas.	Wagstaff.
Riddle.	Walker.
Roberts.	Weinert.
Rogers of Hunt.	Winningham.
Rogers	Wood.
of Ochiltree.	

Absent

Anderson.	Hunt.
Barrett.	Jefferson.
Beck.	Johnson
Bradley.	of Anderson.
Camp.	Jones of Atascosa.
Caven.	Kyle of Hays.
Celaya.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Davidson.	Morse.
Devall.	Munson.
Dunlap.	Nicholson.
Duvall.	Palmer.
Dwyer.	Renfro.
Few.	Savage.
Griffith.	Shannon.
Hankamer.	Smith.
Harrison.	Sullivant.
Hester.	Townsend.
Hill of Brazoria.	Van Zandt.
Hill of Webb.	Wells.
Holloway.	Young.
Huddleston.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 205 ON SECOND READING

Mr. Cowley moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 205 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Mathis.
Aikin.	McCullough.
Alexander.	McDougald.
Alsup.	McGregor.
Baker.	McKee.
Barron.	Merritt.
Bedford.	Metcalfe.
Bourne.	Mitcham.
Bradley.	Moffett.
Butler.	Moore.
Calvert.	Morrison.
Canon.	Nicholson.
Chastain.	Parkhouse.
Colson.	Patterson.
Coombes.	Pavlica.
Daniel.	Pope.
Dean.	Puryear.
Dunagan.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Ford.	Reader.
Fuchs.	Reed of Bowie.
Glass.	Reed of Dallas.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Harman.	Ross.
Harris.	Russell.
Hartzog.	Savage.
Head.	Scarborough.
Hill of Brazoria.	Scott.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Hoskins.	Steward.
Hughes.	Stinson.
Hunt.	Stovall.
Hunter.	Stubbeman.
Hyder.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Turlington.
Kayton.	Vaughan.
Kyle of Palo Pinto.	Wagstaff.
Laird.	Walker.
Lemens.	Weinert.
Lindsey.	Winningham.
Long.	Wood.

Absent

Anderson.	Crossley.
Barrett.	Davidson.
Beck.	Devall.
Burns.	Dunlap.
Camp.	Duvall.
Cathey.	Dwyer.
Caven.	Few.
Celaya.	Hankamer.
Clayton.	Harrison.
Cowley.	Hester.

Hicks.	Mackay.
Hill of Webb.	Magee.
Holloway.	Morse.
Huddleston.	Munson.
Jefferson.	Palmer.
Johnson	Renfro.
of Anderson.	Smith.
Jones of Atascosa.	Sullivan.
Kyle of Hays.	Townsend.
Latham.	Van Zandt.
Leonard.	Wells.
Lotief.	Young.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 205, A bill to be entitled "An Act to amend Subdivision 66, of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the terms of district court in Hill County, constituting the Sixty-sixth Judicial District of Texas, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 205 ON THIRD READING

The Speaker then laid House Bill No. 205 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103

Adamson.	Fuchs.
Aikin.	Glass.
Alexander.	Good.
Alsup.	Goodman.
Baker.	Graves.
Barron.	Greathouse.
Bedford.	Griffith.
Bourne.	Harman.
Bradley.	Harris.
Burns.	Hartzog.
Butler.	Head.
Calvert.	Hicks.
Canon.	Hill of Brazoria.
Chastain.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Daniel.	Hoskins.
Dean.	Huddleston.
Dunagan.	Hughes.
Duvall.	Hunt.
Engelhard.	Hunter.
Fain.	Hyder.
Ford.	Jackson.

James.	Reed of Dallas.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers of Hunt.
Kayton.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Laird.	Rollins.
Latham.	Ross.
Lemens.	Russell.
Leonard.	Savage.
Lindsey.	Scarborough.
Magee.	Scott.
McDougald.	Shannon.
McGregor.	Shults.
McKee.	Stanfield.
Merritt.	Steward.
Metcalfe.	Stinson.
Mitcham.	Stubbeman.
Moffett.	Tarwater.
Moore.	Tennyson.
Morrison.	Thomas.
Nicholson.	Tillery.
Palmer.	Turlington.
Patterson.	Van Zandt.
Pavlica.	Vaughan.
Puryear.	Wagstaff.
Ratliff.	Walker.
Ray.	Weinert.
Reader.	Winningham.
Reed of Bowie.	Wood.

Absent

Anderson.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Camp.	Kyle of Hays.
Cathey.	Long.
Caven.	Lotief.
Celaya.	Mackay.
Clayton.	Mathis.
Cowley.	McCullough.
Crossley.	Morse.
Davidson.	Munson.
Devall.	Parkhouse.
Dunlap.	Pope.
Dwyer.	Ramsey.
Few.	Renfro.
Golson.	Riddle.
Hankamer.	Smith.
Harrison.	Stovall.
Hester.	Sullivant.
Hill of Webb.	Townsend.
Holloway.	Wells.
Jefferson.	Young.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 213 ON SECOND
READING

Mr. Hartzog moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 213

be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	McCullough.
Aikin.	McDougald.
Alexander.	McGregor.
Alsup.	McKee.
Baker.	Merritt.
Barron.	Metcalfe.
Bourne.	Mitcham.
Bradley.	Moffett.
Burns.	Moore.
Butler.	Morrison.
Calvert.	Nicholson.
Canon.	Palmer.
Chastain.	Parkhouse.
Colson.	Patterson.
Coombes.	Pavlica.
Daniel.	Pope.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reader.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Ross.
Harman.	Russell.
Harris.	Savage.
Hartzog.	Scarborough.
Head.	Shannon.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Huddleston.	Stubbeman.
Hughes.	Tarwater.
Hunter.	Tennyson.
Hyder.	Thomas.
Jackson.	Tillery.
James.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Winningham.
Lemens.	Wood.
Lindsey.	Young.

Nays—2

Hicks.	Johnson
	of Anderson.

Present—Not Voting

Puryear.

Absent

Anderson.	Hill of Webb.
Barrett.	Holloway.
Beck.	Hunt.
Bedford.	Jefferson.
Camp.	Jones of Atascosa.
Cathey.	Latham.
Caven.	Leonard.
Celaya.	Long.
Clayton.	Lotief.
Cowley.	Mackay.
Crossley.	Magee.
Davidson.	Mathis.
Dunlap.	Morse.
Duvall.	Munson.
Dwyer.	Ramsey.
Few.	Riddle.
Golson.	Scott.
Graves.	Smith.
Hankamer.	Sullivant.
Harrison.	Townsend.
Hester.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 213, A bill to be entitled "An Act for the purpose of opening the waters of Lavaca Bay in Calhoun County, Texas, for shrimp trawling, during the months of September, October, November, and December of each year; opening Powder Horn Lake, in Calhoun County, Texas, for seining, during the months of December, January, and February of each year; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 213 ON THIRD READING

The Speaker then laid House Bill No. 213 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—109

Adamson.	Bradley.
Aikin.	Burns.
Alexander.	Butler.
Alsup.	Calvert.
Baker.	Canon.
Barron.	Chastain.
Bedford.	Colson.
Bourne.	Coombes.

Daniel.	Metcalf.
Dean.	Mitcham.
Devall.	Moffett.
Dunagan.	Moore.
Engelhard.	Morrison.
Fain.	Nicholson.
Ford.	Palmer.
Fuchs.	Parkhouse.
Glass.	Patterson.
Good.	Pavlica.
Goodman.	Pope.
Graves.	Ratliff.
Greathouse.	Ray.
Griffith.	Reader.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Renfro.
Head.	Riddle.
Hicks.	Roberts.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scarborough.
Hunter.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Stanfield.
Jones of Runnels.	Steward.
Jones of Shelby.	Stinson.
Kayton.	Stovall.
Kyle of Hays.	Stubbeman.
Kyle of Palo Pinto.	Tennyson.
Laird.	Thomas.
Latham.	Tillery.
Lemens.	Turlington.
Leonard.	Van Zandt.
Lindsey.	Vaughan.
Magee.	Wagstaff.
McCullough.	Walker.
McDougald.	Weinert.
McGregor.	Winningham.
McKee.	Wood.
Merritt.	Young.

Nays—1

Puryear.

Absent

Anderson.	Golson.
Barrett.	Hankamer.
Beck.	Harrison.
Camp.	Hester.
Cathey.	Hill of Webb.
Caven.	Holloway.
Celaya.	Jefferson.
Clayton.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Davidson.	Long.
Dunlap.	Lotief.
Duvall.	Mackay.
Dwyer.	Mathis.
Few.	Morse.

Munson.	Tarwater.
Ramsey.	Townsend.
Smith.	Wells.
Sullivant.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 204 ON SECOND READING

Mr. Hunter moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 204 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—84

Adamson.	Lemens.
Aikin.	Leonard.
Alexander.	McCullough.
Alsup.	McDougald.
Baker.	McGregor.
Bedford.	McKee.
Bourne.	Merritt.
Bradley.	Metcalfe.
Butler.	Mitcham.
Calvert.	Moore.
Caron.	Nicholson.
Cathey.	Patterson.
Chastain.	Pavlica.
Dean.	Pope.
Dunagan.	Ratliff.
Duvall.	Ray.
Engelhard.	Reader.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Ross.
Harris.	Russell.
Hartzog.	Savage.
Hicks.	Scarborough.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Holloway.	Steward.
Hughes.	Stovall.
Hunt.	Stubbeman.
Hyder.	Sullivant.
Jackson.	Tarwater.
James.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wood.
Laird.	Young.
Latham.	

Nays—19

Burns.	Purveyer.
Coombes.	Reed of Bowie.
Daniel.	Reed of Dallas.
Fain.	Scott.
Harman.	Stinson.
Head.	Tillery.
Lindsey.	Turlington.
Magee.	Vaughan.
Moffett.	Winningham.
Morrison.	

Present—Not Voting

Camp.

Absent

Anderson.	Huddleston.
Barrett.	Hunter.
Barron.	Jefferson.
Beck.	Johnson
Caven.	of Anderson.
Celaya.	Jones of Atascosa.
Clayton.	Kayton.
Colson.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Davidson.	Mathis.
Devall.	Morse.
Dunlap.	Munson.
Dwyer.	Palmer.
Few.	Parkhouse.
Ford.	Ramsey.
Hankamer.	Smith.
Harrison.	Tennyson.
Hester.	Thomas.
Hill of Brazoria.	Townsend.
Hill of Webb.	Wells.
Hoskins.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 204, A bill to be entitled "An Act to declare the validity of certain indebtedness arising out of the construction of State Highway No. 2 in the County of Johnson; to place such indebtedness on a parity with bonds, warrants, and other evidence of indebtedness heretofore authorized to be paid out of the 'County and Road District Highway Fund'; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 204 ON THIRD READING

The Speaker then laid House Bill No. 204 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 185 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 185, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, in counties having a population of not less than twenty-two thousand five hundred (22,500) and not more than twenty-two thousand nine hundred and fifty (22,950), according to the last preceding Federal Census, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 185 ON THIRD READING

Mr. Butler moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100

Aikin.	Fain.
Alexander.	Ford.
Alsup.	Fuchs.
Baker.	Glass.
Barron.	Golson.
Bourne.	Good.
Bradley.	Goodman.
Burns.	Graves.
Butler.	Greathouse.
Calvert.	Griffith.
Canon.	Harman.
Cathey.	Harris.
Chastain.	Hartzog.
Crossley.	Head.
Daniel.	Hicks.
Dean.	Hill of Brazoria.
Devall.	Hodges.
Dunagan.	Holekamp.
Engelhard.	Holland.

Holloway.	Pope.
Hoskins.	Puryear.
Hughes.	Ratliff.
Hunt.	Ray.
Hunter.	Reader.
Hyder.	Reed of Bowie.
Jackson.	Reed of Dallas.
James.	Renfro.
Jones of Runnels.	Riddle.
Jones of Shelby.	Roberts.
Kayton.	Rogers of Hunt.
Kyle of Hays.	Rogers
Kyle of Palo Pinto.	of Ochiltree.
Laird.	Ross.
Latham.	Savage.
Lemens.	Shults.
Leonard.	Stanfield.
Lindsey.	Steward.
Magee.	Stinson.
Mathis.	Stovall.
McCullough.	Stubbeman.
McGregor.	Sullivant.
McKee.	Tarwater.
Metcalf.	Tillery.
Mitcham.	Turlington.
Moffett.	Vaughan.
Moore.	Wagstaff.
Morrison.	Walker.
Nicholson.	Weinert.
Parkhouse.	Wood.
Patterson.	Young.
Pavlica.	

Nays—1

Coombes.

Absent

Adamson.	Jones of Atascosa.
Anderson.	Long.
Barrett.	Lotief.
Beck.	Mackay.
Bedford.	McDougald.
Camp.	Merritt.
Caven.	Morse.
Celaya.	Munson.
Clayton.	Palmer.
Colson.	Ramsey.
Cowley.	Rollins.
Davidson.	Russell.
Dunlap.	Scarborough.
Duvall.	Scott.
Dwyer.	Shannon.
Few.	Smith.
Hankamer.	Tennyson.
Harrison.	Thomas.
Hester.	Townsend.
Hill of Webb.	Van Zandt.
Huddleston.	Wells.
Jefferson.	Winningham.
Johnson	
of Anderson.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid House Bill No. 185 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100

Aikin.	Leonard.
Alexander.	Lindsey.
Alsup.	Magee.
Baker.	Mathis.
Barron.	McCullough.
Bourne.	McGregor.
Bradley.	McKee.
Burns.	Merritt.
Butler.	Metcalfe.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Chastain.	Morrison.
Crossley.	Nicholson.
Daniel.	Parkhouse.
Dean.	Patterson.
Devall.	Pavlica.
Dunagan.	Pope.
Duvall.	Puryear.
Engelhard.	Ratliff.
Fain.	Ray.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Graves.	Roberts.
Greathouse.	Rogers of Hunt.
Griffith.	Rogers
Harman.	of Ochiltree.
Harris.	Ross.
Head.	Russell.
Hill of Brazoria.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holland.	Stinson.
Hoskins.	Stovall.
Hughes.	Stubbeman.
Hunt.	Sullivant.
Hunter.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wood.
Latham.	Young.
Lemens.	

Nays—2

Coombes. Scott.

Present—Not Voting

Tillery.

Absent

Adamson.	Holloway.
Anderson.	Huddleston.
Barrett.	Jefferson.
Beck.	Johnson
Bedford.	of Anderson.
Cathey.	Jones of Atascosa.
Caven.	Long.
Celaya.	Lotief.
Clayton.	Mackay.
Colson.	McDougald.
Cowley.	Morse.
Davidson.	Munson.
Dunlap.	Palmer.
Dwyer.	Ramsey.
Few.	Rollins.
Ford.	Savage.
Hankamer.	Scarborough.
Harrison.	Shannon.
Hartzog.	Smith.
Hester.	Townsend.
Hicks.	Wells.
Hill of Webb.	Winningham.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 212 ON SECOND READING

Mr. Bradley moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 212 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Alexander.	Fuchs.
Alsup.	Glass.
Baker.	Golson.
Barron.	Good.
Bedford.	Goodman.
Bourne.	Greathouse.
Bradley.	Griffith.
Burns.	Harman.
Butler.	Harris.
Camp.	Hartzog.
Canon.	Head.
Cathey.	Hicks.
Coombes.	Hodges.
Daniel.	Holekamp.
Dean.	Holland.
Devall.	Holloway.
Dunagan.	Hoskins.
Duvall.	Hughes.
Dwyer.	Hunt.
Engelhard.	Hunter.
Fain.	Hyder.

Jackson.	Reader.
James.	Reed of Dallas.
Jones of Runnels.	Renfro.
Jones of Shelby.	Riddle.
Kayton.	Roberts.
Kyle of Hays.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers
Laird.	of Ochiltree.
Latham.	Ross.
Lemens.	Russell.
Lindsey.	Savage.
Magee.	Scott.
Mathis.	Shannon.
McCullough.	Shults.
McGregor.	Stanfield.
McKee.	Steward.
Merritt.	Stinson.
Metcalfe.	Stovall.
Mitcham.	Stubbeman.
Moffett.	Sullivan.
Moore.	Tarwater.
Morrison.	Thomas.
Nicholson.	Turlington.
Parkhouse.	Van Zandt.
Patterson.	Wagstaff.
Pavlica.	Walker.
Puryear.	Weinert.
Ratliff.	Wood.
Ray.	Young.

Nays—5

Adamson.	Reed of Bowie.
Aikin.	Vaughan.
Chastain.	

Present—Not Voting

Tennyson.	Winningham.
Tillery.	

Absent

Anderson.	Huddleston.
Barrett.	Jefferson.
Beck.	Johnson
Calvert.	of Anderson.
Caven.	Jones of Atascosa.
Celaya.	Leonard.
Clayton.	Long.
Colson.	Lotief.
Cowley.	Mackay.
Crossley.	McDougald.
Davidson.	Morse.
Dunlap.	Munson.
Few.	Palmer.
Ford.	Pope.
Graves.	Ramsey.
Hankamer.	Rollins.
Harrison.	Scarborough.
Hester.	Smith.
Hill of Brazoria.	Townsend.
Hill of Webb.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 212, A bill to be entitled "An Act to amend Article 1109-a, of the Revised Civil Statutes of 1925, of the State of Texas, passed by the Thirty-ninth Legislature, Acts of 1925, and known as House Bill No. 477, said Act being an Act entitled 'An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water systems, and additions, extensions, and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems; to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same, and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers, and limiting the manner of their exercise; providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor, to make sale on default in payment; etc., and declaring an emergency.'"

The bill was read second time.

Mr. Bradley offered the following amendments to the bill:

(1)

Amend House Bill No. 212 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 212,

A BILL

To Be Entitled

An Act amending Chapter 33, of the General Laws of the Regular Session of the Thirty-ninth Legislature, so that there is added to said Chapter provisions that in cities having a population of more than 290,000, according to the last preceding Federal Census, that the governing body of said cities shall have the power to make loans to be secured by, and paid out of, the income of the water work system of said cities and/or extensions, re-

placements, betterments, additions, and/or improvements thereof necessary to render adequate service; and to pledge and use the income of such system for the payment of said debts, and providing further that in said cities, elections, provided in Section 6, of said Chapter, shall not be necessary for the issuance of bonds and notes to secure said loans made payable solely by the income of said system, and providing for the required submission of said bonds and notes to the Attorney General for his examination, and that said bonds shall be examined and certified as legal obligations to said cities by the Attorney General of Texas, and requiring them to be registered by the Comptroller in a book kept for such purpose; and providing further, that nothing in this Act shall repeal or affect any other legislation pertaining to this same subject, but shall be cumulative to all Acts granting power to all cities and towns including home rule cities, and it is not intended to limit or impair any power given by any other of such Acts, nor shall any other Act be deemed to limit or impair power granted under this Act, and declaring an emergency."

(2)

Amend House Bill No. 212 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. Amend Chapter 33, of the General Laws of the Regular Session of the Thirty-ninth Legislature so that it shall hereafter read as follows:

"Section 1. All cities having more than one hundred and sixty thousand (160,000) inhabitants shall have power to issue bonds or notes therefor, and to secure payment thereof, to mortgage and encumber any such water system, and the incomes thereof and everything pertaining thereto.

"And to purchase or otherwise acquire additions to, or extensions or enlargements of, any such water systems, or additional water powers, riparian rights, or repair of such systems, or either of them, all cities having more than one hundred and sixty thousand (160,000) inhabitants shall have power to issue bonds and

notes therefor, and to secure payment thereof, to mortgage and encumber such additions, extensions, enlargements, additional water powers, riparian rights, the income therefrom, and everything pertaining thereto, either separately or with such systems, or either of them.

"And as additional security therefor, by the terms of such encumbrance, may grant to the purchaser or purchasers under any sale or foreclosure thereunder, a franchise to operate the system and properties so purchased, for a term not over twenty years after such purchase, subject to all laws regulating the same then in force."

"Sec. 2. Whenever the income of any water system shall be encumbered under this Act, the expense of operating and maintenance, including all salaries, labor, materials, interest, repairs, and extensions, necessary to render efficient service, and every proper item of expense shall always be a first lien and charge against such income. The rates charged for services furnished by any of said systems shall be equal and uniform, and no free service shall be allowed except for city public schools, or buildings and institutions operated by such city, and there shall be charged and collected for such service a sufficient rate to pay for all operating, maintenance, depreciation, replacement, betterment, and interest charges, and for interest and sinking fund sufficient to pay any bonds or notes issued to purchase, construct, or improve any such system or of any outstanding indebtedness against same. No part of the income of any such system shall ever be used to pay any other debt, expense, or obligation of such city, until the indebtedness so secured shall have been finally paid.

"Sec. 3. All cities acquiring a water system, or any addition, improvement, or extension thereto, under this Act, may borrow money on the security of the plant, or addition, or extension, so acquired, or owned, for the purpose of paying the purchase price and for the addition, improvement, and extension thereof, and may issue bonds, notes, or other obligations to evidence the moneys so borrowed, which bonds, notes, or other obligations shall have the characteristics of negotiable instruments under the law merchant. Every contract,

bond, or note executed or issued under this Act shall contain this clause: 'The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation.' No such obligation shall ever be a debt of such city, but solely a charge upon the properties so encumbered, and shall never be reckoned in determining the power of such city to issue bonds for any purpose authorized by law.

"Sec. 4. The management and control of any such system or systems during the time same are encumbered, may, by the terms of such encumbrance, be placed in the hands of the city council of such city; but if deemed advisable may be placed in the hands of a board of trustees to be named in such encumbrance, consisting of not more than five members, one of whom shall always be the mayor of such city; and the compensation of such trustees shall be fixed by such contract, but shall never exceed 5 per cent of the gross receipts of any such systems in any one year. The terms of office of such board of trustees, their powers, and duties, the manner of exercising same, the election of their successors, and all matter pertaining to their organization and duties may be specified in such contract of encumbrance; but in all matters where such contract is silent, the laws and rules governing the council of such city shall govern said board of trustees so far as applicable. Said city council or board of trustees having such management and control shall have power to make rules and regulations governing the furnishing of service to patrons and for the payment for same, and providing for discontinuance of such service to those failing to pay therefor when due until payment is made; and such city council shall have power to provide penalties for the violation of such rules and regulations and for the use of such service without the consent or knowledge of the authorities in charge thereof, and to provide penalties for all interference, trespassing, or injury to any such systems, appliances, or premises on which same may be located.

"Sec. 5. Any contract of encumbrance under this Act may name, or provide, for the selection of a trustee to make sale upon default in the payment of the principal or interest according to the terms of such con-

tract, and for the selection of his successor, if disqualified or failing to act, and may provide for collection fees not exceeding 5 per cent of the principal; but no collection fees shall accrue, and no foreclosure proceedings shall be begun in any court or through any trustee, and no option to mature any part of such obligation, because of default in payment of any installment of principal, shall be exercised until ninety days' written notice shall be given to each member of the city council of such city and to each member of such board of trustees, if any, that payment has been demanded and default made, which notice shall date from the sending of a letter to each person to be notified, by registered mail, postage and registration fees prepaid, and addressed to them at the post office in such city; and if the installments of principal and interest then due shall be paid before the expiration of said ninety days, together with the interest prescribed in such contract, not exceeding 10 per cent per annum, from the date of default until the date of payment, it shall have like effect as if paid on the date same was originally due.

"Sec. 6. In the encumbrance of any properties under this Act, such city may encumber any such water systems, or any extensions, additions, or enlargements thereof, singly or together, and may or may not include in such encumbrance the franchise provided for, and may omit or include in said encumbrances the whole or any part of the properties mentioned in Section 1 of this Act; but no such system shall ever be sold until such sale is authorized by a majority vote of the qualified property taxpayers of such city, or under the terms of any such mortgage or encumbrance, nor shall same be encumbered for the purchase money or original cost, until authorized in like manner; such vote in either case to be ascertained at an election, of which notice shall have been given in like manner as cases of the issuance of municipal bonds by such cities.

"All obligations herein authorized to be issued under Section 1 of this Act shall be submitted to the Attorney General for examination, and upon his approval as to the form thereof, shall be registered by the Comptroller in a book kept for that purpose; the Comptroller shall en-

dorse his certificate of registration on each such obligation.

"Sec. 7. All proceedings heretofore had by cities having more than one hundred and sixty thousand (160,000) inhabitants, in the acquisition of any water systems, and the encumbrance of same, within the authority given by this Act, be, and the same are hereby, approved and ratified.

"Provided, that in cities having a population of more than two hundred and ninety thousand (290,000), according to the last preceding Federal Census, the governing body thereof shall have the power to borrow money and issue bonds or notes which shall be fully negotiable within the meaning and for all purposes under the negotiable instrument law; said bonds and notes to be payable solely out of the income of such system, or any extensions, replacements, betterments, additions, or improvements, which, in the judgment of the governing body of such city, are necessary to render adequate service and to pledge and use the income of such system for payment of such bonds or notes, and such determination by such governing body shall be conclusive, and any ordinance pledging or encumbering such rents, income, or revenues, shall be deemed a part of the contract of said city with the holders of such bonds or notes; and

"Provided further, that the election called for in Section 6 hereof shall not be necessary in said cities having a population of more than two hundred and ninety thousand (290,000), according to the last preceding Federal Census, to authorize the issuance of bonds or notes payable solely out of the income of said system; and

"Provided further, that all obligations of said last-mentioned cities, authorized under Section 1 of this Act, shall be submitted to the Attorney General of Texas for his examination, and when such bonds have been examined and certified as legal obligations of such cities by said Attorney General, they shall be registered by the Comptroller of Texas in a book kept for such purposes, and the Comptroller shall endorse his certificate of registration upon each of such obligations.

"Provided further, that nothing in this Act, however, shall repeal or affect any other legislation pertaining to the same or similar subjects, but

shall be cumulative of all Acts granting the power to all cities and towns, including home rule cities, operating under Title 28, of the Revised Civil Statutes of 1925, and it is not intended to limit or impair any power given by any other of such Acts, nor shall any other Act be deemed to limit or impair the power of any city under this Act.

"Sec. 9. The fact that the present law, authorizing the issuance of bonds or notes may raise questions under such Acts, with respect particularly to the power of a city to pledge the income of the system to secure additional loans, which would delay the granting of the loan for such purpose by the Public Works Administration, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and the said rule is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted."

READER,
REED of Dallas.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 212 was then passed to engrossment.

HOUSE BILL NO. 212 ON THIRD READING

The Speaker then laid House Bill No. 212 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97

Adamson.	Coombes.
Alexander.	Crossley.
Alsup.	Daniel.
Baker.	Dean.
Barron.	Devall.
Bedford.	Dunagan.
Bourne.	Duvall.
Bradley.	Dwyer.
Burns.	Engelhard.
Butler.	Fain.
Calvert.	Fuchs.
Camp.	Glass.
Canon.	Golson.
Cathey.	Good.
Chastain.	Graves.

Greathouse.	Parkhouse.
Griffith.	Patterson.
Harris.	Pavlica.
Hartzog.	Pope.
Head.	Ratliff.
Hodges.	Ray.
Holekamp.	Reader.
Holland.	Reed of Bowie.
Holloway.	Reed of Dallas.
Hoskins.	Renfro.
Hughes.	Riddle.
Hunt.	Roberts.
Hyder.	Rogers of Hunt.
Jackson.	Rollins.
James.	Ross.
Jones of Runnels.	Russell.
Jones of Shelby.	Savage.
Kyle of Hays.	Shannon.
Kyle of Palo Pinto.	Shults.
Laird.	Stanfield.
Lemens.	Steward.
Leonard.	Stinson.
Lindsey.	Stubbeman.
Magee.	Sullivant.
Mathis.	Tarwater.
McCullough.	Tennyson.
McGregor.	Thomas.
Merritt.	Turlington.
Metcalfe.	Van Zandt.
Mitcham.	Wagstaff.
Moffett.	Weinert.
Moore.	Wood.
Morrison.	Young.
Nicholson.	

Nays—6

Aikin.	Stovall.
Goodman.	Vaughan.
Hicks.	Walker.

Present—Not Voting

McKee.	Winningham.
Tillery.	

Absent

Anderson.	Johnson
Barrett.	of Anderson.
Beck.	Jones of Atascosa.
Caven.	Kayton.
Celaya.	Latham.
Clayton.	Long.
Colson.	Lotief.
Cowley.	Mackay.
Davidson.	McDougald.
Dunlap.	Morse.
Few.	Munson.
Ford.	Palmer.
Hankamer.	Puryear.
Harman.	Ramsey.
Harrison.	Rogers
Hester.	of Ochiltree.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Scott.
Huddleston.	Smith.
Hunter.	Townsend.
Jefferson.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 210 ON SECOND READING

Mr. Sullivant moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 210 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—89

Adamson.	Lemens.
Aikin.	Leonard.
Alexander.	Magee.
Alsup.	Mathis.
Baker.	McCullough.
Barron.	McGregor.
Bedford.	McKee.
Bourne.	Metcalfe.
Bradley.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Camp.	Morrison.
Canon.	Nicholson.
Cathey.	Patterson.
Coombes.	Pavlica.
Dean.	Ratliff.
Devall.	Ray.
Dunagan.	Reader.
Dwyer.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Russell.
Head.	Savage.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Holloway.	Stinson.
Hoskins.	Stubbeman.
Hughes.	Sullivant.
Hunter.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Laird.	Wood.
Latham.	Young.

Nays—14

Chastain.	Crossley.
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Daniel.	Merritt.
Fain.	Puryear.
Good.	Steward.
Hunt.	Tillery.
Jones of Runnels.	Vaughan.
Lindsey.	Winningham.

Absent

Anderson.	Huddleston.
Barrett.	Jefferson.
Beck.	Johnson
Burns.	of Anderson.
Caven.	Jones of Atascosa.
Celaya.	Long.
Clayton.	Lotief.
Colson.	Mackay.
Cowley.	McDougald.
Davidson.	Morse.
Dunlap.	Munson.
Duvall.	Palmer.
Few.	Parkhouse.
Goodman.	Pope.
Graves.	Ramsey.
Hankamer.	Ross.
Harman.	Scarborough.
Harrison.	Scott.
Hester.	Smith.
Hicks.	Stovall.
Hill of Brazoria.	Townsend.
Hill of Webb.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 210, A bill to be entitled "An Act granting permission to the Gainesville Red River Bridge Company to sue the State Highway Commission as such, and the State of Texas, upon a purported contract; fixing venue; making an appropriation to cover the expenses of the Attorney General in defending such suit; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 210 ON THIRD READING

The Speaker then laid House Bill No. 210 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—77

Adamson.	Alsup.
Aikin.	Baker.
Alexander.	Barron.

Bedford.	Mathis.
Bourne.	McCullough.
Bradley.	McKee.
Butler.	Metcalfe.
Calvert.	Mitcham.
Camp.	Moffett.
Colson.	Moore.
Coombes.	Morrison.
Devall.	Nicholson.
Dunagan.	Parkhouse.
Dwyer.	Patterson.
Engelhard.	Pavlica.
Ford.	Pope.
Glass.	Ray.
Golson.	Reed of Bowie.
Goodman.	Reed of Dallas.
Griffith.	Riddle.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Holekamp.	Rogers
Holland.	of Ochiltree.
Holloway.	Rollins.
Hoskins.	Savage.
Hughes.	Shannon.
Hyder.	Shults.
Jackson.	Stanfield.
James.	Stinson.
Jones of Shelby.	Sullivant.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Laird.	Van Zandt.
Latham.	Wagstaff.
Lemens.	Weinert.
Leonard.	Wood.
Magee.	Young.

Nays—25

Chastain.	Puryear.
Crossley.	Ratliff.
Daniel.	Renfro.
Dean.	Russell.
Fain.	Steward.
Fuchs.	Stovall.
Good.	Stubbeman.
Head.	Tillery.
Hodges.	Turlington.
Hunt.	Vaughan.
Jones of Runnels.	Walker.
Lindsey.	Winningham.
Merritt.	

Absent

Anderson.	Few.
Barrett.	Graves.
Beck.	Greathouse.
Burns.	Hankamer.
Canon.	Harman.
Cathey.	Harrison.
Caven.	Hester.
Celaya.	Hicks.
Clayton.	Hill of Brazoria.
Cowley.	Hill of Webb.
Davidson.	Huddleston.
Dunlap.	Hunter.
Duvall.	Jefferson.

Johnson	Palmer.
of Anderson.	Ramsey.
Jones of Atascosa.	Reader.
Long.	Ross.
Lotief.	Scarborough.
Mackay.	Scott.
McDougald.	Smith.
McGregor.	Townsend.
Morse.	Wells.
Munson.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

HOUSE BILL NO. 196 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 196, A bill to be entitled "An Act granting authority to the State Highway Department to acquire by purchase, and/or to construct, maintain, operate, and control ferries over and across any bay, arm, channel, or salt-water lake emptying into the Gulf of Mexico, or any inlet of the Gulf of Mexico, any river, or other navigable waters of this State, where such ferries connect designated State highways, and which may be made self-liquidating or partially self-liquidating; providing for interstate ferries to be acquired by purchase, and to be maintained, operated, and controlled by the State of Texas, by the charging of tolls for the use thereof, and the right to charge reasonable tolls is hereby specifically granted to the State Highway Department under this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 196 ON THIRD READING

Mr. McKee moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 196 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Baker.
Aikin.	Barron.
Alexander.	Bedford.
Alsup.	Bourne.

Bradley.	McCullough.
Butler.	McDougald.
Calvert.	McGregor.
Camp.	McKee.
Canon.	Merritt.
Cathey.	Metcalfe.
Chastain.	Mitcham.
Coombes.	Moffett.
Crossley.	Moore.
Daniel.	Morrison.
Dean.	Nicholson.
Devall.	Parkhouse.
Dunagan.	Patterson.
Duvall.	Pavlica.
Dwyer.	Pope.
Engelhard.	Ratliff.
Fain.	Ray.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Griffith.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rogers
Hodges.	of Ochiltree.
Holland.	Rollins.
Holloway.	Ross.
Hoskins.	Russell.
Hughes.	Scott.
Hunt.	Shannon.
Hunter.	Shults.
Hyder.	Stanfield.
Jackson.	Steward.
James.	Stinson.
Johnson	Stubbeman.
of Anderson.	Sullivant.
Jones of Runnels.	Tarwater.
Jones of Shelby.	Tennyson.
Kayton.	Thomas.
Kyle of Hays.	Turlington.
Kyle of Palo Pinto.	Van Zandt.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Weinert.
Leonard.	Wood.
Magee.	Young.
Mathis.	

Nays—5

Vaughan.
Winningham.

Absent

Anderson.	Ford.
Barrett.	Graves.
Beck.	Greathouse.
Burns.	Hankamer.
Caven.	Harman.
Celaya.	Harrison.
Clayton.	Head.
Colson.	Hester.
Cowley.	Hicks.
Davidson.	Hill of Brazoria.
Dunlap.	Hill of Webb.
Few.	Holekamp.

Huddleston.	Palmer.
Jefferson.	Ramsey.
Jones of Atascosa.	Savage.
Long.	Scarborough.
Lotief.	Smith.
Mackay.	Tillery.
Morse.	Townsend.
Munson.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 196 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—96

Adamson.	Jones of Shelby.
Alexander.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Baker.	Laird.
Barron.	Latham.
Bedford.	Leonard.
Bourne.	Magee.
Bradley.	Mathis.
Butler.	McCullough.
Calvert.	McDougald.
Camp.	McGregor.
Canon.	McKee.
Cathey.	Merritt.
Coombes.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Nicholson.
Duvall.	Parkhouse.
Dwyer.	Patterson.
Engelhard.	Pavlica.
Fain.	Pope.
Fuchs.	Ratliff.
Glass.	Ray.
Golson.	Reader.
Good.	Reed of Bowie.
Griffith.	Reed of Dallas.
Harris.	Renfro.
Hartzog.	Riddle.
Head.	Roberts.
Hodges.	Rogers of Hunt.
Holland.	Rogers
Holloway.	of Ochiltree.
Hoskins.	Rollins.
Hughes.	Ross.
Hunt.	Russell.
Hunter.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Stanfield.
Johnson	Steward.
of Anderson.	Stinson.
Jones of Runnels.	Stubbeman.

Sullivant.	Wagstaff.
Tarwater.	Walker.
Tennyson.	Weinert.
Thomas.	Wood.
Turlington.	Young.

Nays—8

Aikin	Tillery.
Lindsey.	Van Zandt.
Puryear.	Vaughan.
Stovall.	Winningham.

Absent

Anderson.	Hicks.
Barrett.	Hill of Brazoria.
Beck.	Hill of Webb.
Burns.	Holekamp.
Caven.	Huddleston.
Celaya.	Jefferson.
Chastain.	Jones of Atascosa.
Clayton.	Kayton.
Colson.	Lemens.
Cowley.	Long.
Davidson.	Lotief.
Dunlap.	Mackay.
Few.	Morse.
Ford.	Munson.
Goodman.	Palmer.
Graves.	Ramsey.
Greathouse.	Savage.
Hankamer.	Scarborough.
Harman.	Smith.
Harrison.	Townsend.
Hester.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: I am directed by the Senate
to inform the House that the Senate
has adopted

H. C. R. No. 37, Directing the Ad-
jutant General to select an appropri-
ate design of service medal and serv-
ice ribbon for citizens who served in
certain wars of the United States.

The Senate has passed

H. B. No. 110, A bill to be entitled
"An Act prohibiting the use of any
seine or net for taking fish from any
of the waters of Red River County,
except a seine or net of not less than
two-inch square mesh; or a minnow
seine for the purpose of taking bait;

providing a penalty; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 127, A bill to be entitled "An Act amending Chapter 220, Acts of the Forty-third Legislature, Regular Session, page 734, by adding thereto Section 5-b (Article 3886-b), providing for the maximum compensation of assistant county attorneys in all counties in this State having a population of one hundred thousand and one (100,001) inhabitants, and not more than one hundred and fifty thousand (150,000) inhabitants, and containing two cities of fifty thousand (50,000) population or more, each according to the last preceding Federal Census; etc., and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 194 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 194, A bill to be entitled "An Act making certain independent school districts to receive donations of cash and donations of land upon which to build, erect, and construct buildings in which its junior colleges may be maintained and operated, and wherein an additional two years of college work may be taught so as to constitute a university; authorizing the board of education or board of trustees of such school districts to borrow money from the Federal Emergency Administration of Public Works under the provisions of the National Industrial Recovery Act, or from any other source, for the purpose of building, erecting, and constructing on such lands buildings for such purposes and the purchasing of necessary equipment and appliances, and the installation thereof in such buildings, and to mortgage and encumber such lands, buildings, equipment, and appliances, and the income, rents, tolls, fees, and other charges to be derived from the operation thereof, and to evidence the obligation therefor, by the issuance of bonds; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 194 ON THIRD READING

Mr. Holland moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 194 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—97

Adamson.	Lemens.
Alsup.	Leonard.
Baker.	Magee.
Barron.	Mathis.
Bourne.	McCullough.
Bradley.	McDougald.
Butler.	McKee.
Calvert.	Merritt.
Camp.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moore.
Coombes.	Nicholson.
Dean.	Parkhouse.
Devall.	Patterson.
Dunagan.	Pavlica.
Duvall.	Pope.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reader.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Riddle.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Harman.	Rollins.
Hartzog.	Ross.
Head.	Scott.
Hicks.	Shannon.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Holloway.	Stinson.
Hoskins.	Stovall.
Hughes.	Stubbeman.
Hunt.	Sullivant.
Hyder.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Johnson	Turlington.
of Anderson.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wood.
Laird.	Young.
Latham.	

Nays—14

Aikin.	Burns.
Alexander.	Chastain.

Crossley.	Puryear.
Daniel.	Russell.
Harris.	Savage.
Lindsey.	Tillery.
Moffett.	Winningham.

Absent

Anderson.	Huddleston.
Barrett.	Hunter.
Beck.	Jefferson.
Bedford.	Jones of Atascosa.
Caven.	Long.
Celaya.	Lotief.
Clayton.	Mackay.
Colson.	McGregor.
Cowley.	Morrison.
Davidson.	Morse.
Dunlap.	Munson.
Few.	Palmer.
Graves.	Ramsey.
Hankamer.	Scarborough.
Harrison.	Smith.
Hester.	Townsend.
Hill of Brazoria.	Wells.
Hill of Webb.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 194 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103

Adamson.	Greathouse.
Alexander.	Griffith.
Alsup.	Harman.
Baker.	Harris.
Barrett.	Hartzog.
Barron.	Head.
Bedford.	Hodges.
Bourne.	Holekamp.
Bradley.	Holland.
Butler.	Holloway.
Camp.	Hoskins.
Canon.	Hughes.
Cathey.	Hunt.
Chastain.	Hyder.
Coombes.	Jackson.
Dean.	James.
Devall.	Johnson
Dunagan.	of Anderson.
Duvall.	Jones of Runnels.
Dwyer.	Jones of Shelby.
Engelhard.	Kayton.
Fain.	Kyle of Hays.
Ford.	Kyle of Palo Pinto.
Fuchs.	Laird.
Glass.	Latham.
Golson.	Lemens.
Good.	Leonard.
Goodman.	Magee.

Mathis.	Rogers
McCullough.	of Ochiltree.
McDougald.	Rollins.
McGregor.	Ross.
McKee.	Russell.
Merritt.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Stanfield.
Moore.	Steward.
Morrison.	Stinson.
Nicholson.	Stubbeman.
Parkhouse.	Sullivant.
Patterson.	Tennyson.
Pavlica.	Thomas.
Pope.	Tillery.
Ratliff.	Turlington.
Ray.	Van Zandt.
Reader.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Renfro.	Weinert.
Riddle.	Wood.
Roberts.	Young.
Rogers of Hunt.	

Nays—6

Aikin.	Puryear.
Burns.	Stovall.
Lindsey.	Winningham.

Absent

Anderson.	Hill of Webb.
Beck.	Huddleston.
Calvert.	Hunter.
Caven.	Jefferson.
Celaya.	Jones of Atascosa.
Clayton.	Long.
Colson.	Lotief.
Cowley.	Mackay.
Crossley.	Morse.
Daniel.	Munson.
Davidson.	Palmer.
Dunlap.	Ramsey.
Few.	Savage.
Graves.	Scarborough.
Hankamer.	Smith.
Harrison.	Tarwater.
Hester.	Townsend.
Hicks.	Wells.
Hill of Brazoria.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 186 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 186, A bill to be entitled "An Act to create a special and more

efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; etc., and declaring an emergency."

The bill was read second time.

Mr. McCullough offered the following committee amendments to the bill:

(1)

Amend House Bill No. 186 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That hereafter in the County of Collin, in this State, the members of the commissioners court shall be ex-officio road commissioners of their respective precincts, and, under the direction of the commissioners court, shall have charge of the teams, tools, and machinery belonging to the county and placed in their hands by said court, and it shall be their duty, under such rules and regulations as commissioners court may prescribe, to superintend the laying out of new roads, the making or changing of roads, and the building of bridges. Each of the county commissioners shall, before entering upon the duties of road commissioner, execute a bond of one thousand dollars, with two or more good and sufficient sureties, payable to the county judge and his successors in office, and to be approved by the county judge for the use and benefit of the road and bridge fund, conditioned that he will perform all the duties required of him by law, or by the commissioners court and that he will account for all money or other property belonging to the county that may come into his possession.

"Sec. 2. The commissioners court shall have full power and authority and it shall be their duty to adopt such system of working, laying out, draining, and repairing the public roads as they may deem best; and from time to time said court may change their plan or system of working. The commissioners court shall have the power to purchase such teams, tools, and machinery as may be necessary for the working of the public roads. Said court shall have the power to construct, grade, or otherwise improve any road or bridge

contract. In such cases said court or county judge may advertise in such manner as said court may determine, for bids to do the work, and the contract shall be awarded to the lowest responsible bidder, who shall enter into a bond payable to the county judge and his successors in office for the use and benefit of the road and bridge fund, with two or more good and sufficient sureties, to be approved by the commissioners court and in such sum as said court may determine for faithful performance of the terms of said contract but said court shall have the right to reject any or all bids. At the time of making any such contract the court shall direct the county treasurer or depository to pass the amount of said contract to a particular fund for that purpose, and the treasurer shall keep a separate account of said fund, and the same shall not be used for any other purpose, and can only be paid out on the order of said court, and the said court shall have the authority to employ any hands and teams on the public roads under such regulations and for such prices as they may deem best.

"Sec. 3. The commissioners court shall require all male county convicts, not otherwise employed, to labor on the county farm and public roads, under such regulations as they may prescribe and each convict so worked shall receive a credit of one dollar (\$1) as prescribed in the general law, on his fine first, and then on the cost, for each day he may labor. The commissioners court shall allow the officers and witnesses such amount of their costs as have been satisfied in full, by labor of such convicts, for the arrest and conviction of said convicts, as it may deem best, not to exceed one-half of such costs, which amount shall be paid to the officers and witnesses out of the road and bridge fund on the warrant of the county judge; provided, that this shall not be so construed as to relieve any convict from the payment of all costs for which he may be liable under the laws of this State. The commissioners court may grant a reasonable commutation of time for which a convict is committed as a reward for faithful service and good behavior, provided that such commutation shall not exceed one-tenth of the whole time.

"The commissioners court may provide the necessary houses, prisons,

clothing, bedding, food, medicine, medical attention and superintendents and guards for the safe and humane keeping of the convicts. The commissioners court may provide such reasonable regulations and punishment as may be necessary to require such convicts to perform good work, and to provide a reward not to exceed ten dollars, to be paid out of the road and bridge fund, for the recapture and delivery of any escaped convict to be paid to any person other than the guard or person in charge of such convict at the time of his escape.

"Sec. 4. Each road commissioner shall have control of all road overseers in his precinct and shall deliver to each of them such teams, tools, machinery, necessary in working the roads in the precinct of said overseer, so far as he has been supplied therewith by the commissioners court, taking a receipt therefor, specifying each item and giving its value, which receipts shall be a full answer for the liability of the road commissioner and shall fix the liability of the road overseer, and the road commissioner, or road overseer, who shall have been intrusted with any teams, tools, or machinery belonging to the county shall be liable for all damages that occur to the same while in his possession caused by his negligence or want of due care of same. It shall be the duty of the road overseer when he has finished work on his road to return to said commissioner all teams, tools, and machinery received from him, and take up the receipt given therefor.

"Sec. 5. It shall be the duty of each county commissioner when acting as road commissioner to inform himself of the condition of the public roads in his precinct, and shall determine what character of work shall be done on said roads, and shall direct the manner of grading, draining, or otherwise improving the same, which directions shall be followed and obeyed by all road overseers in his precinct.

"Sec. 6. Each road commissioner may require each road overseer in his precinct to call out the hands in such numbers as may be sufficient to perform the work. In case said overseer fails or refuses to call out said hands within five days after being notified to do so by said road commissioner then said road commissioner may call out said hands in the

mode and manner provided for overseers to call out said hands, but no road hand shall be required to work exceeding five days in any one year, unless the terms of service as now provided by law shall be extended beyond that time, and provided that all road hands in a particular road precinct shall, as far as practicable, be worked a uniform time, which shall not be less than three days in any one year; provided, however, that if any road hand shall use his team to a drag or other appliances for smoothing or surfacing the roads at the proper time and manner, for as much as two days in the year, and shall satisfy the road commissioner or overseer as to said work, then said road hand shall be exempt from further road duty during said year.

"Each person summoned to work on a road shall take with him such tools as may be desired by such overseer or commissioner; or if he has no such tools as are desired, then he shall take such suitable tool as he may have.

"Each road overseer or road commissioner, as the case may be, shall have full control of all road hands in his precinct, and shall see that each hand when called out shall perform a good day's work; and if any hand when called out shall fail or refuse to do a good day's work in the manner the road overseer or road commissioner may direct, he shall be liable to the same penalty as if he had failed to appear in obedience to the summons, and the road overseer may, when he deems it expedient, or when so directed to do by the road commissioner of said commissioners precinct, and at the time of notifying any hand to work upon the road, also summon such hand as may be the owner of a team suitable for road work, to bring such team with him to be used in working upon the public roads during such time as the hand shall be notified to work upon the public roads, and after such notice given if such hand shall fail or refuse to bring his team with him as notified to do, he shall be liable to the same penalty as if he had failed or refused to appear in obedience to the summons; provided, that any hand for so doing shall be credited with and allowed two and one-half days' pay upon his time for which he is liable for road duty each day he may work in connection with

and while furnishing such team, one and one-half days for his team without such hand.

"The commissioners court may allow any overseer who shall be engaged in the discharge of the duties of his office, for more than five days during any one year, a compensation not to exceed one dollar and fifty cents per day for the time so served; provided, no road overseer shall receive pay for extra time, unless labor performed by him be done upon the written order of his road commissioner.

"Sec. 7. A person liable for road duty who shall, on or before the first day of February of any year, pay to the county treasurer, the sum of three dollars, shall be exempt from road duty for such year, beginning on the first day of February. The county treasurer shall receive and receipt for all money so paid by him and place the same to the credit of the road and bridge fund, and shall keep a separate account for each precinct from which it is received. The county treasurer shall, on the third day of February, or as soon thereafter as practicable, furnish to each road commissioner, a list of all persons in his respective precinct that have paid sums, as provided in this Section.

"Sec. 8. Any person in Collin County subject to the payment of a poll tax (whether assessed or not), who fails to pay same on or before the first day of February thereafter, shall be a delinquent poll taxpayer, and shall be subject to road duty for a period of three days during the year, and shall be summoned by the road overseer or road commissioner or any person appointed by the road overseer or road commissioner for that purpose as in other cases, to work the road, and shall be liable to road duty in the road district where he resides or in any road district to which he may be assigned by the commissioners court; and any such delinquent poll taxpayer who resides in any city or town shall be assigned to work on some road leading into said city or town, and it is made the duty of the tax collector, as soon as practicable, after the first day of February and before the first day of May thereafter, to make out and give the commissioners court a complete list of all delinquent poll taxpayers for

the previous year, with their residence as shown in said collector's office. And each of said delinquent poll taxpayers shall be subject to road duty, to the road district where he lives or to any road district to which he may be assigned by the commissioners court. The performance of the road service provided for in this Section shall not exempt a person from any other road duty to which he is subject. Any person when liable to work the roads and summoned for that purpose under this Section, who shall fail to appear and perform the work required, shall be subject to the same punishments as in other cases, of failing to appear or do good work on the roads, and when convicted, shall satisfy the fine and costs as in other misdemeanor convictions; but any person who may become liable to road duty as delinquent poll taxpayer, when summoned, may satisfy said summons and be relieved from road duty by paying the road overseer or road commissioner the sum of three dollars, to be accounted for as other road money.

"Sec. 9. Every owner of a farm or other land upon which a hedge of any description grows, on or near the public road shall be required to keep the same trimmed, so that the same shall not obstruct said road or in any manner injure the same, and every such owner who shall fail or neglect to trim such hedge shall be notified in writing by the road overseer or road commissioner of that district, to trim such hedge, as herein required; and in such cases, if such owner shall, after receiving such notice, fail or refuse to trim such hedge within twenty days, he shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in a sum of not exceeding ten dollars, and each month he shall so fail or refuse shall constitute a separate offense; such fine to be paid to the county treasurer, and by him placed to the credit of the road and bridge fund of said county. If any owner of a farm shall fail or refuse, after being notified as herein required, to trim his hedge, as required by this Act, then the road overseer or road commissioner shall cause same to be trimmed in accordance with the provisions of this Act, to be paid out of the road and bridge fund, and it shall be a special duty of the road overseer or road commissioner to file

complaint against any person who fails to trim his hedge in accordance with this Section.

"Sec. 10. Whenever the commissioners court shall deem it necessary to occupy any land for the purpose of opening, widening, straightening, draining, grading, constructing, building, improving, repairing, or maintaining any public road in Collin County, or any part thereof, said court may enter upon, occupy, and take said land, paying therefor, if the owner thereof and said court can agree on the damages to be paid for taking of said land.

"In case the owner of such land and the commissioners court can not agree upon the damages to be paid therefor, it shall thereupon be the duty of the county judge of said county to appoint three disinterested freeholders of said county as appraisers, who shall be sworn by the county clerk to make a true assessment of the damages to the owner of said land. They shall then give three days' written notice to the owner of said lands, of the time and place, when and where, they will hear and determine the question of damages. They shall go upon the land to be taken and examine the same, and shall hear evidence of the value and the damages to the owner, and shall report in writing under oath of the damages to the owner of said land.

"If the owner shall not file his objections to said report within five days after it is made, the same shall become final, and the commissioners court shall pay said owner the damages so awarded and shall then have the right to enter upon and take said land.

"If any objections shall be filed within said time, the same shall be heard and considered by the commissioners court at the next regular monthly meeting, and said court shall award such damages as it shall deem just and right, and the action of said commissioners court shall be final, but the court shall have the right to enter upon and take such land as soon as the said objections are filed, by paying the owner or by a deposit with the county treasurer, to the credit of the owner, of the amount of damages awarded by the appraisers.

"The commissioners court may employ an attorney at law to represent the county before the appraisers appointed to assess the damages, or be-

fore the court, if they deem it advisable, and such attorney may be allowed such fee as the court may deem just for this service, provided nothing in this section shall be held to repeal the provisions of the general law now in force, or to be passed, relating to the establishment and opening of any new public road by a jury of view.

"Sec. 11. Said court may enter upon and take from any land adjacent to or most convenient or accessible to any public road of said county, earth, stone, gravel, or other material necessary or suitable for grading, constructing, building, repairing, and improving such public road, excepting fuel and wood, paying therefor, if the owner of land and the court can agree on the price thereof, the value of the material so taken and the amount of damages, if any, thereby occasioned, to such land or appurtenances; but if such owner and said commissioners court cannot agree thereon, the value of the material and damages, if any, shall be ascertained, determined, and paid for under the next preceding section of this Act, as the same shall be applicable to such case, and the court may enter upon said land and take said material desired at any time after said appraisers appointed to assess the value of said material have made their report of the damages assessed, by making the deposit of the damages with the county treasurer, as required in the next preceding Section of this Act.

"Sec. 12. If any person liable to work upon the public road, after being legally summoned, shall fail or refuse to attend, either in person or by able or competent substitute, or fail or refuse to furnish his team or tools at the time and place designated by the person summoning him, or to pay to such road overseer the sum of one dollar for each day he may have been notified to work on the public roads, or to pay to such overseer the sum of one dollar and fifty cents for each day he may have been notified to furnish his team for road work, or having attended, shall fail or refuse to perform good service or any other duty required of him by law or the person under whom he may work, or if any one shall fail to comply with any duty required of him, as provided by law, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, fined in any sum not exceeding twenty-five dollars.

"Sec. 13. At the regular term of the commissioners court in February of each year all road overseers shall make their reports, under oath, upon forms to be furnished by said court, which said report shall be examined by said court, and all accounts for services or labor performed for overwork by such overseer during the past year, and of moneys had and expended by him, shall be audited and settled; and at said term or as soon thereafter as practicable, said commissioners court shall appoint and commission road overseers for the succeeding year, and in the event of the death, refusal, or inability to act on the part of any road overseer so appointed, the county commissioner of the precinct shall have the authority to fill the vacancy and report this action in writing to the county clerk, who shall record the same in the minutes of the commissioners court, either in term time or vacation.

"Sec. 14. Any road overseer subject to road duty who shall wilfully fail, neglect, or refuse to perform his duties as such overseer, or so failing or refusing to make his report as required by law, or so failing or refusing to serve and perform his duties of overseer, when appointed by said court, or shall wilfully fail, neglect, or refuse to perform any duty imposed upon him by law, or shall so fail, neglect, or refuse to keep the roads, bridges, and causeways in his precinct or district clear of obstructions, and in good order, or shall wilfully suffer such roads, bridges, or causeways to remain unclean and out of repair for twenty days at any one time, or shall so fail, neglect, or refuse to call out the road hands in his precinct or district, subject to road duty, in such numbers as may be sufficient to perform the work, when notified by the road commissioner of his precinct or district so to do, within five days after receiving such notice to call out said hands, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than twenty-five dollars.

"Sec. 15. Any person, or persons, who own, control, or superintend any land bordering on or contiguous to any public roads, who shall place or cause to be placed alongside or near any public road, ditch, brush, weeds, or trash or any other substance that may obstruct such drainage or drain-

ways, or who shall purposely fill up or plow into said drainways, or who shall force or cause the natural drainage of lands adjoining any public road to flow into any public road or ditch thereof, which would not otherwise naturally flow therein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars nor more than fifty dollars; provided the owner or person in control or superintendent of said land shall have the right to plow or dig up Bermuda and Johnson grass growing alongside or near said land, after first having obtained the written consent or permit from the road overseer or road commissioner of said district.

"Sec. 16. Except when the commissioners court is in session, each county commissioner shall devote his entire time to his duties as road commissioner. Each county commissioner, as compensation for his services as road commissioner of the precinct as added thereto by this Act, shall receive such sum as may be prescribed by order of the Commissioners Court of Collin County, not to exceed one hundred dollars (\$100) per month, payable monthly out of the road and bridge fund; provided, however, that no county commissioner shall receive more than (\$200) per month, including compensation allowed by the general law and by this Act.

"Sec. 17. The provisions of the foregoing Act shall be held and construed to be cumulative of all general laws of this State on the subject of roads, when not in conflict therewith, but in cases of such conflict this Act shall control as to Collin County.

"Sec. 18. If any part of this Act should be held unconstitutional or inoperative by any court or other body, such holding shall not in any way affect any remaining part or Section of this Act; and shall not render such other part or Sections unconstitutional or inoperative, but such remaining Sections or parts of this Act shall continue to operate in full force and effect as to the special road law, Collin County.

"Sec. 19. The Chapter 63 of the Special Laws of the Thirty-seventh Legislature, being a special road law for Collin County, is hereby repealed, and all laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 20. The fact that the present road law of Collin County is in a large measure inoperative because of changes in the general law governing the same matters, and the further fact that the general law does not require county commissioners to devote their entire time to duties as county commissioner in counties of less than \$100,000,000 assessed valuation, and the further fact that certain parts of the Title 116, of the Revised Civil Statutes of Texas, of 1925, on roads, bridges, and ferries, is by express provisions therein, not applicable to Collin County, creates an emergency and an imperative necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 186 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 186,

A BILL

To Be Entitled

An Act to create a special and more efficient road system for Collin County, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemnation of lands and other property by said county for the purpose of laying out and establishing roads and for straightening, widening, or draining any established road, and for the condemnation of any timber, earth, or other material for the construction and maintenance, of public roads and to provide for compensation of the material used, and providing for the working of county convicts on the public roads and county farm and the purchase of supplies for such convicts, and the rewards for the capture of escaped convicts, and for the commutation of sentences for faithful service and good behavior and providing the powers and duties and liabilities of road overseers, and to provide for the summoning of road hands and teams for road work and

for the allowance of time for service of hands and teams on public roads, and fixing the penalty for violation of same, and relieving them from the performance of such work by the payment of three dollars (\$3), and providing that delinquent poll taxpayers shall be liable for extra road duty of three days, and providing for the manner of summoning and working of all persons liable for road duty on public roads who have not paid such road tax or such poll tax, and permitting substitution and payment of money in lieu of such service, and to provide for the manner of training and maintaining hedges along the public roads and the punishment for the failure to comply with, and for the allowance of extra time for road overseers, and to provide punishment for all who obstruct any drain-way or any public road; and providing further, making this Act cumulative of the general laws now in force, and to repeal Chapter 63, of the Acts of the Thirty-seventh Legislature, and repealing Chapter 79, Acts of the Fortieth Legislature, First Called Session, being a special road law for Collin County, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 186 was then passed to engrossment.

HOUSE BILL NO. 186 ON THIRD READING

Mr. McCullough moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adamson.	Cathey.
Aikin.	Chastain.
Alexander.	Coombes.
Baker.	Crossley.
Barron.	Daniel.
Bourne.	Dean.
Bradley.	Devall.
Burns.	Dunagan.
Butler.	Duvall.
Calvert.	Dwyer.
Camp.	Engelhard.
Canon.	Fain.

Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Parkhouse.
Goodman.	Patterson.
Greathouse.	Pavlica.
Griffith.	Pope.
Harris.	Puryear.
Hartzog.	Ratliff.
Head.	Ray.
Hicks.	Reader.
Holekamp.	Reed of Bowie.
Holland.	Reed of Dallas.
Holloway.	Renfro.
Hoskins.	Riddle.
Hughes.	Roberts.
Hunt.	Rogers of Hunt.
Hunter.	Rollins.
Hyder.	Ross.
Jackson.	Savage.
James.	Scott.
Johnson	Shannon.
of Anderson.	Shults.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kayton.	Stinson.
Kyle of Hays.	Stovall.
Kyle of Palo Pinto.	Stubbeman.
Laird.	Sullivant.
Latham.	Tarwater.
Lemens.	Tennyson.
Leonard.	Thomas.
Lindsey.	Turlington.
Magee.	Van Zandt.
Mathis.	Vaughan.
McCullough.	Wagstaff.
McDougald.	Walker.
McKee.	Weinert.
Merritt.	Wood.
Metcalfe.	Young.

Present—Not Voting

Tillery.

Absent

Alsup.	Huddleston.
Anderson.	Jefferson.
Barrett.	Jones of Atascosa.
Beck.	Long.
Bedford.	Lotief.
Caven.	Mackay.
Celaya.	McGregor.
Clayton.	Morse.
Colson.	Munson.
Cowley.	Nicholson.
Davidson.	Palmer.
Dunlap.	Ramsey.
Few.	Rogers
Graves.	of Ochiltree.
Hankamer.	Russell.
Harman.	Scarborough.
Harrison.	Smith.
Hester.	Townsend.
Hill of Brazoria.	Wells.
Hill of Webb.	Winningham.
Hodges.	

Absent—Excused

Fisher.	McClain.
Johnson	
of Dimmit.	

The Speaker then laid House Bill No. 186 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Aikin.	Latham.
Alexander.	Lemens.
Alsup.	Leonard.
Baker.	Lindsey.
Barrett.	Magee.
Barron.	McCullough.
Bedford.	McDougald.
Bourne.	McGregor.
Bradley.	McKee.
Burns.	Merritt.
Butler.	Metcalfe.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Caven.	Parkhouse.
Chastain.	Patterson.
Coombes.	Pavlica.
Daniel.	Pope.
Dean.	Puryear.
Dunagan.	Ratliff.
Duvall.	Ray.
Dwyer.	Reader.
Fain.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Harris.	Ross.
Hartzog.	Savage.
Head.	Scott.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Holloway.	Steward.
Hoskins.	Stinson.
Hughes.	Stovall.
Hunt.	Stubbeman.
Hyder.	Sullivant.
Jackson.	Tarwater.
James.	Tennyson.
Johnson	Thomas.
of Anderson.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Wood.
Laird.	Young.

Present—Not Voting
Tillery.

Absent

Adamson.	Huddleston.
Anderson.	Hunter.
Beck.	Jefferson.
Celaya.	Jones of Atascosa.
Clayton.	Long.
Colson.	Lotief.
Cowley.	Mackay.
Crossley.	Mathis.
Davidson.	Morse.
Devall.	Munson.
Dunlap.	Nicholson.
Engelhard.	Palmer.
Few.	Ramsey.
Graves.	Russell.
Hankamer.	Scarborough.
Harman.	Smith.
Harrison.	Townsend.
Hester.	Weinert.
Hicks.	Wells.
Hill of Brazoria.	Winningham.
Hill of Webb.	

Absent—Excused

Fisher. McClain.
Johnson of Dimmit.

RELATIVE TO HOUSE BILL NO. 196

By unanimous consent of the House, the caption of House Bill No. 196 was ordered amended to conform to all changes made in the body of the bill.

HOUSE BILL NO. 163 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 163, A bill to be entitled "An Act ceding to the City of Corpus Christi, Texas, all public lands within the bed of the Nueces River, from its mouth to its junction with the eastern boundary line of McMullin County; permitting lessees within such area to contract with the city for the abandonment of any producing oil or gas wells within such area; repealing laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Pope offered the following amendments to the bill:

(1)

Amend House Bill No. 163 by adding at the end of Section 1 a new paragraph, as follows:

"It is expressly understood that the grant hereby made shall cease when said portion of said river bed shall cease to be used as a part of the reservoir or storage basin in connection with the water supply of the City of Corpus Christi, and the mineral rights hereby ceded to the City of Corpus Christi are never to be sold or developed by the City of Corpus Christi, but said minerals and mineral rights shall be held by City of Corpus Christi under this grant for the State of Texas until such time as the State of Texas shall desire to sell or otherwise dispose of or develop same. Pending and during the period of this grant, whatever rents or royalties which may be collected or payable for said minerals or mineral rights shall belong to the State of Texas."

(2)

Amend House Bill No. 163 by inserting in line 5, Section 1, after the word "used," the following: "by the City of Corpus Christi."

The amendments were severally adopted.

House Bill No. 163 was then passed to engrossment.

HOUSE BILL NO. 163 ON THIRD READING

Mr. Pope moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 163 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Mr. Speaker.	Daniel.
Adamson.	Dean.
Aikin.	Dunagan.
Alexander.	Duvall.
Baker.	Dwyer.
Barrett.	Engelhard.
Barron.	Fain.
Bedford.	Ford.
Bourne.	Fuchs.
Bradley.	Glass.
Burns.	Golson.
Butler.	Good.
Calvert.	Goodman.
Camp.	Greathouse.
Canon.	Griffith.
Cathey.	Harris.
Caven.	Hartzog.
Chastain.	Head.
Colson.	Hicks.
Coombes.	Hodges.

Holekamp.	Pope.
Holland.	Puryear.
Holloway.	Ratliff.
Hoskins.	Ray.
Hughes.	Reader.
Hyder.	Reed of Bowie.
Jackson.	Reed of Dallas.
James.	Renfro.
Johnson	Roberts.
of Anderson.	Rogers of Hunt.
Jones of Atascosa.	Rogers
Jones of Runnels.	of Ochiltree.
Jones of Shelby.	Rollins.
Kayton.	Ross.
Kyle of Hays.	Russell.
Kyle of Palo Pinto.	Savage.
Laird.	Shannon.
Latham.	Shults.
Lemens.	Stanfield.
Leonard.	Steward.
Lindsey.	Stinson.
Magee.	Stovall.
Mathis.	Stubbeman.
McDougald.	Sullivan.
McGregor.	Tarwater.
McKee.	Thomas.
Merritt.	Tillery.
Metcalfe.	Turlington.
Moffett.	Van Zandt.
Moore.	Wagstaff.
Morrison.	Walker.
Parkhouse.	Weinert.
Patterson.	Wood.
Pavlica.	Young.

Nays—2

Vaughan.	Winningham.
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Present—Not Voting

Hunt.	Tennyson.
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Absent

Alsup.	Hunter.
Anderson.	Jefferson.
Beck.	Long.
Celaya.	Lotief.
Clayton.	Mackay.
Crowley.	McCullough.
Crossley.	Mitcham.
Davidson.	Morse.
Devall.	Munson.
Dunlap.	Nicholson.
Few.	Palmer.
Graves.	Ramsey.
Hankamer.	Riddle.
Harman.	Scarborough.
Harrison.	Scott.
Hester.	Smith.
Hill of Brazoria.	Townsend.
Hill of Webb.	Wells.
Huddleston.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 163 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—107

Adamson.	Laird.
Aikin.	Latham.
Alexander.	Lemens.
Alsup.	Leonard.
Baker.	Lindsey.
Barrett.	Magee.
Barron.	Mathis.
Bedford.	McCullough.
Bourne.	McDougald.
Bradley.	McGregor.
Burns.	McKee.
Butler.	Metcalfe.
Calvert.	Moffett.
Camp.	Moore.
Canon.	Morrison.
Cathey.	Parkhouse.
Chastain.	Pavlica.
Colson.	Pope.
Coombes.	Puryear.
Daniel.	Ramsey.
Dean.	Ratliff.
Dunagan.	Ray.
Duvall.	Reader.
Dwyer.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Renfro.
Ford.	Riddle.
Fuchs.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Rollins.
Greathouse.	Ross.
Griffith.	Russell.
Harris.	Savage.
Hartzog.	Scott.
Head.	Shannon.
Hicks.	Shults.
Hodges.	Stanfield.
Holekamp.	Steward.
Holloway.	Stubbeman.
Hoskins.	Sullivan.
Hughes.	Tarwater.
Hunt.	Tennyson.
Hunter.	Thomas.
Hyder.	Tillery.
Jackson.	Turlington.
James.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	Walker.
Jones of Runnels.	Weinert.
Jones of Shelby.	Winningham.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

Nays—3

Mitcham.	Vaughan.
Stovall.	

Absent

Anderson.	Holland.
Beck.	Huddleston.
Caven.	Jefferson.
Celaya.	Jones of Atascosa.
Clayton.	Long.
Cowley.	Lotief.
Crossley.	Mackay.
Davidson.	Merritt.
Devall.	Morse.
Dunlap.	Munson.
Few.	Nicholson.
Graves.	Palmer.
Hankamer.	Patterson.
Harman.	Scarborough.
Harrison.	Smith.
Hester.	Stinson.
Hill of Brazoria.	Townsend.
Hill of Webb.	Wells.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

MOTION TO PLACE HOUSE BILL
NO. 86 ON THIRD READING

Mr. Coombes moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 86 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—70

Adamson.	Hunt.
Alexander.	Hunter.
Alsup.	Hyder.
Barrett.	Jackson.
Bourne.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Runnels.
Cathey.	Jones of Shelby.
Chastain.	Kyle of Hays.
Coombes.	Kyle of Palo Pinto.
Dean.	Laird.
Devall.	Latham.
Fain.	Lindsey.
Ford.	Magee.
Fuchs.	McCullough.
Golson.	McDougald.
Good.	McKee.
Goodman.	Merritt.
Graves.	Metcalfe.
Greathouse.	Mitcham.
Griffith.	Moffett.
Harman.	Nicholson.
Harris.	Parkhouse.
Hartzog.	Pavlica.
Hicks.	Pope.
Holloway.	Reed of Bowie.

Reed of Dallas.	Stinson.
Riddle.	Stovall.
Rogers of Hunt.	Stubbeman.
Rollins.	Tarwater.
Russell.	Tillery.
Savage.	Van Zandt.
Scott.	Wagstaff.
Shannon.	Wood.
Shults.	Young.
Stanfield.	

Nays—34

Aikin.	Moore.
Baker.	Morrison.
Barron.	Patterson.
Burns.	Puryear.
Camp.	Ratliff.
Canon.	Roberts.
Crossley.	Rogers
Daniel.	of Ochiltree.
Duvall.	Ross.
Dwyer.	Steward.
Glass.	Sullivan.
Head.	Tennyson.
Holekamp.	Thomas.
Hoskins.	Turlington.
James.	Vaughan.
Kayton.	Walker.
Lemens.	Winningham.
McGregor.	

Present—Not Voting

Hodges.

Absent

Anderson.	Hughes.
Beck.	Jefferson.
Bedford.	Jones of Atascosa.
Calvert.	Leonard.
Caven.	Long.
Celaya.	Lotief.
Clayton.	Mackay.
Colson.	Mathis.
Cowley.	Morse.
Davidson.	Munson.
Dunlap.	Palmer.
Dunagan.	Ramsey.
Engelhard.	Ray.
Few.	Reader.
Hankamer.	Renfro.
Harrison.	Scarborough.
Hester.	Smith.
Hill of Brazoria.	Townsend.
Hill of Webb.	Weinert.
Holland.	Wells.
Huddleston.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 168 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 168, A bill to be entitled "An Act amending Chapter 116, Acts of the Regular Session of the Forty-third Legislature, by adding thereto Sections 28-a, 28-b, 28-c, 28-d, and 28-e, so as to provide for the regulation of the manufacture, selling, distribution, disposition, storage, and transportation of vinous beverages, and prescribing, defining and providing the means, manner, and method thereof; providing for the licensing and regulating of persons dealing therein; providing for the assessment and collection of taxes and fees, and the method and manner thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 168 ON THIRD READING

Mr. Van Zandt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 168 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson.	Greathouse.
Aikin.	Griffith.
Alexander.	Harris.
Alsup.	Hartzog.
Baker.	Head.
Barrett.	Hicks.
Barron.	Hodges.
Bedford.	Holland.
Bourne.	Holloway.
Bradley.	Hoskins.
Burns.	Hughes.
Butler.	Hunt.
Calvert.	Hunter.
Camp.	Hyder.
Canon.	Jackson.
Cathey.	James.
Chastain.	Johnson
Colson.	of Anderson.
Coombes.	Jones of Shelby.
Crossley.	Kayton.
Daniel.	Kyle of Hays.
Davidson.	Laird.
Dean.	Latham.
Devall.	Lemens.
Dunagan.	Leonard.
Duvall.	Long.
Engelhard.	Mathis.
Fain.	McCullough.
Ford.	McDougald.
Glass.	Merritt.
Golson.	Metcalf.
Good.	Mitcham.
Goodman.	Moffett.

Moore.	Savage.
Morrison.	Shannon.
Nicholson.	Shults.
Parkhouse.	Stanfield.
Patterson.	Steward.
Pavlica.	Stinson.
Pope.	Stovall.
Puryear.	Stubbeman.
Ratliff.	Sullivant.
Ray.	Tarwater.
Reader.	Tennyson.
Reed of Bowie.	Thomas.
Renfro.	Tillery.
Riddle.	Turlington.
Roberts.	Van Zandt.
Rogers of Hunt.	Vaughan.
Rogers	Walker.
of Ochiltree.	Weinert.
Rollins.	Winningham.
Ross.	Wood.
Russell.	Young.

Nays—7

Holekamp.	Magee.
Jones of Runnels.	McGregor.
Kyle of Palo Pinto.	Wagstaff.
Lindsey.	

Absent

Anderson.	Huddleston.
Beck.	Jefferson.
Caven.	Jones of Atascosa.
Celaya.	Lotief.
Clayton.	Mackay.
Cowley.	McKee.
Dunlap.	Morse.
Dwyer.	Munson.
Few.	Palmer.
Fuchs.	Ramsey.
Graves.	Reed of Dallas.
Hankamer.	Scarborough.
Harman.	Scott.
Harrison.	Smith.
Hester.	Townsend.
Hill of Brazoria.	Wells.
Hill of Webb.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

The Speaker then laid House Bill No. 168 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—113

Adamson.	Bedford.
Aikin.	Bourne.
Alexander.	Bradley.
Alsup.	Burns.
Baker.	Butler.
Barrett.	Calvert.
Barron.	Camp.

Canon.	McGregor.
Chastain.	McKee.
Colson.	Merritt.
Coombes.	Metcalfe.
Crossley.	Moffett.
Daniel.	Moore.
Davidson.	Morrison.
Dean.	Nicholson.
Devall.	Parkhouse.
Dunagan.	Patterson.
Duvall.	Pavlica.
Dwyer.	Pope.
Engelhard.	Puryear.
Fain.	Ratliff.
Ford.	Ray.
Fuchs.	Reader.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Renfro.
Goodman.	Riddle.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Harris.	Rogers
Hartzog.	of Ochiltree.
Head.	Rollins.
Hicks.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Shannon.
Holloway.	Shults.
Hughes.	Stanfield.
Hunt.	Steward.
Hunter.	Stinson.
Hyder.	Stovall.
Jackson.	Stubbeman.
James.	Sullivant.
Johnson	Tarwater.
of Anderson.	Tennyson.
Jones of Runnels.	Thomas.
Jones of Shelby.	Tillery.
Kayton.	Turlington.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Weinert.
Leonard.	Wells.
Long.	Winningham.
Mathis.	Wood.
McCullough.	Young.
McDougald.	

Nays—3

Lindsey.	Mitcham.
Magee.	

Absent

Anderson.	Graves.
Beck.	Hankamer.
Cathey.	Harman.
Caven.	Harrison.
Celaya.	Hester.
Clayton.	Hill of Brazoria.
Cowley.	Hill of Webb.
Dunlap.	Hoskins.
Few.	Huddleston.

Jefferson.	Palmer.
Jones of Atascosa.	Ramsey.
Lotief.	Scarborough.
Mackay.	Scott.
Morse.	Smith.
Munson.	Townsend.

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 137 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 137, A bill to be entitled "An Act providing that designated State highways traversing incorporated cities and towns of this State, having a population of less than ten thousand (10,000) inhabitants, shall be maintained at the expense of the State, and such expense to be paid out of the Highway Maintenance Fund, and providing further that it shall be the duty of the Highway Department to maintain such highways, and declaring an emergency."

The bill was read second time.

Mr. Vaughan offered the following amendment to the bill:

Amend House Bill No. 137 by changing the population figures from "10,000" to "6000."

VAUGHAN,
ADAMSON.

Mr. Patterson offered the following substitute amendment to the bill:

Amend House Bill No. 137 by changing the figures to read "400,000."

PATTERSON,
KAYTON.

Mr. Kyle of Palo Pinto moved to table the amendment.

The motion to table prevailed.

Question—Shall the bill be passed to engrossment?

CONSTITUTIONAL RULE SUSPENDED

Mr. Kyle of Palo Pinto moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 137 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94

Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Baker.	Magee.
Barrett.	McCullough.
Barron.	McDougald.
Bedford.	McGregor.
Bourne.	McKee.
Bradley.	Merritt.
Butler.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moffett.
Chastain.	Moore.
Colson.	Morrison.
Crossley.	Nicholson.
Daniel.	Patterson.
Dean.	Pavlica.
Dunagan.	Pope.
Duvall.	Ratliff.
Engelhard.	Ray.
Fain.	Reader.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Renfro.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Rollins.
Harris.	Ross.
Hartzog.	Russell.
Head.	Scott.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Stinson.
Holloway.	Stovall.
Hoskins.	Stubbeman.
Hunter.	Sullivant.
Hyder.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jones of Runnels.	Tillery.
Jones of Shelby.	Turlington.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Wood.
Laird.	Young.
Latham.	

Nays—12

Adamson.	Puryear.
Coombes.	Steward.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Mathis.	Weinert.
Parkhouse.	Winningham.

Absent

Anderson.	Clayton.
Beck.	Cowley.
Burns.	Davidson.
Calvert.	Devall.
Camp.	Dunlap.
Caven.	Dwyer.
Celaya.	Few.

Graves.	Lotief.
Hankamer.	Mackay.
Harman.	Morse.
Harrison.	Munson.
Hester.	Palmer.
Hicks.	Ramsey.
Hill of Brazoria.	Riddle.
Hill of Webb.	Savage.
Huddleston.	Scarborough.
Jefferson.	Shannon.
Johnson	Smith.
of Anderson.	Townsend.
Jones of Atascosa.	Wells.
Long.	

Absent—Excused

Fisher.	McClain.
Johnson of Dimmit.	

HOUSE BILL NO. 129 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 129, A bill to be entitled "An Act to amend Article 8244, of the Revised Civil Statutes of 1925, governing the selection of depositories by all navigation districts, whether created pursuant to Section 52, Article III, of the Constitution, or Section 59, Article XVI, of the Constitution; defining the powers of navigation and canal commissioners in the selection of such depositories; defining the powers and obligations of such depositories, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 199 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 199, A bill to be entitled "An Act to amend Article 6008, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-third Legislature, Chapter 100, so as to permit the use of natural gas for repressuring, and declaring an emergency."

The bill was read second time.

Mr. Wagstaff offered the following amendments to the bill:

(1)

Amend House Bill No. 199 by inserting after the words and figures "Section 1" the following: "Article 6008 of the Revised Civil Statutes

of 1925, as amended by Section 2, Chapter 26, Acts of the First Called Session of the Forty-second Legislature, and Section 1, Chapter 100, Acts of Regular Session, Forty-third Legislature, is hereby amended so as to hereafter read as follows: "Article 6008."

(2)

Amend House Bill No. 199 in both caption and emergency clause by striking out the word "repressing," and inserting in lieu thereof the word "repressuring."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 199 was then passed to engrossment.

HOUSE BILL NO. 71 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 71, A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes, 1925, by repealing House Bill No. 102, as passed by the Forty-first Legislature, Second Called Session, 1929, and approved by the Governor of Texas, June 24, 1929; and repealing Senate Bill No. 127, regulating and providing for supervision of emigrant agents, passed by the Forty-first Legislature, Second Called Session, 1929, and effective without the Governor's signature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

COMMITTEE ON APPROPRIATIONS EXCUSED

The members of the Committee on Appropriations were granted leaves of absence for today, because of important committee work, in pursuant to a resolution by Mr. Burns, relative to making certain investigation in regard to the selling of State jobs.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 50, A bill to be entitled "An Act to amend Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, by adding thereto a Section, to be known as Section 7-a, providing that the Board of County and District Road Indebtedness shall keep adequate minutes of its proceedings and make semi-annual reports to each county and giving the commissioners court of any county the right to inspect and audit the records of said board and of the State Treasurer, and requiring said Board of County and District Road Indebtedness to make annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives; and providing for the return to each county affected of all moneys and securities belonging to it, in the event Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended, shall be repealed or become inoperative for any reason; and providing that the funds of the several counties shall be deposited in State depositories and draw interest for said counties, and that interest earned on securities be credited to the owner county; and providing for the exemption from certain named provisions of said Chapter 13, as amended, of any county having a depository secured by surety bonds or which has deposited adequate securities, and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act authorizing the State Comptroller of Public Accounts to prescribe and prepare forms to be used in all counties not having a county auditor in the collection and disbursement of revenues, funds, fees, and other moneys, and to prescribe the mode and manner of keeping and stating their financial accounts; authorizing the State Comptroller to make a survey and study of the financial records, reports, books, and forms now in use

by the counties of this State, and to make such revision, and to prescribe such forms which may be necessary; and authorizing the State Comptroller to employ a certified public accountant for said purposes; making an appropriation, and declaring an emergency."

S. B. No. 100, A bill to be entitled "An Act relieving persons, firms, associations, and corporations, engaged in selling or furnishing water for irrigation, from all obligations, except contractual obligations, to furnish water for irrigation of rice crops in violation of any agreement made or hereafter entered into between such persons, firms, associations, and corporations, and the Secretary of Agriculture of the United States of America, pursuant to and under the terms of an Act of Congress, entitled 'The Agricultural Adjustment Act,' approved May 12, 1933, and any amendments thereto, and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act to amend Article 5155, Revised Civil Statutes, 1925, as amended by the Regular Session of the Forty-third Legislature, 1933, providing for payment of wages semi-monthly; amending Article 5157, providing for penalty; repealing Article 5158 and Article 5159, Revised Civil Statutes, 1925; excepting municipal corporations and wages earned in agricultural and stock raising pursuits, and declaring an emergency."

S. B. No. 30, A bill to be entitled "An Act amending Article 7256 of the 1925 Revised Civil Statutes of Texas, so as to provide that in all counties containing a city, other than the county seat, in excess of 7,000 inhabitants, according to the 1930 Decennial Census, the tax collector, with the consent and approval of the commissioners court of said county, may appoint a deputy tax collector in such town or city, who shall have the right to issue valid receipts for all taxes collected by him and to collect a fee of twenty-five cents from each person who pays his taxes to said deputy and to whom said deputy issues a receipt; providing that no person shall be charged over twenty-five cents for paying his taxes to said deputy; providing that said deputy shall enter into such bond, payable to the county judge of the county, in such amount as the tax collector and commissioners court may

require; and further providing that said tax collector shall likewise remain liable on his bonds for all such taxes collected, and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 50, to the Committee on Counties.

Senate Bill No. 30, to the Committee on Counties.

Senate Bill No. 48, to the Committee on State Affairs.

Senate Bill No. 71, to the Committee on Labor.

Senate Bill No. 100, to the Committee on Judiciary.

RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

S. C. R. No. 22, Endorsing Hon. Adam R. Johnson for certain position.

ADJOURNMENT

On motion of Mr. Moore, the House, at 10:20 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Conservation and Reclamation: Senate Bills Nos. 72 and 57.

Highways and Motor Traffic: House Bills Nos. 165 and 186.

Military Affairs: House Concurrent Resolution No. 37.

Counties: House Bill No. 207.

Banks and Banking: Senate Bill No. 44.

State Affairs: House Concurrent Resolutions Nos. 33, 31, and 38; Senate Concurrent Resolution No. 19; House Bills Nos. 51, 128, 210, and 157.

Education: House Bill No. 209.

Municipal and Private Corporations: House Bill No. 212.

Game and Fisheries: House Bills Nos. 203 and 213; Senate Bill No. 45.

Privileges, Suffrage, and Elections: Senate Bills Nos. 27 and 11.

The Committee on Congressional and Legislative Districts filed an adverse report, with a minority favorable report, on Senate Bill No. 64.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, October 10, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 207, A bill to be entitled "An Act fixing the compensation of the county commissioners in every county having a population of not less than fifty-three thousand five hundred (53,500) nor more than fifty-four thousand (54,000) inhabitants, according to the last preceding United States Census, and prescribing how same shall be paid; etc., and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 55, A bill to be entitled "An Act providing for monthly payment of tax levied, and prescribing the date upon which tax shall be paid; providing that if said tax is withheld by the purchaser, and said purchaser fails to make payment of said tax to the State, that the producer may have legal action against the purchaser by reason of such failure, and providing for attorney's fee; providing penalties for the failure to pay the tax imposed upon the production of oil and 6 per cent interest on delinquent penalties and interest;

authorizing the Comptroller to promulgate rules and regulations for the enforcement of this Act, and the amount of expenses set out in said Act for the enforcement or administration be deducted and appropriated from the gross amount collected, and providing for employes therein; prescribing maximum salaries; providing for equipment, and supplies, and other expenses necessary to enforce this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 183, A bill to be entitled "An Act to declare in force the amendment to Section 1-a, Article VIII, of the State Constitution, ratified by the voters of the State at a special election held on August 26, 1933; providing the manner of claiming exemption from State ad valorem taxes on residence homesteads; providing for partial exception from State ad valorem taxes assessed for the year, 1933, against residence homesteads in certain areas; providing that the State Comptroller of Public Accounts shall devise procedure under this Act; providing for the validity of the remainder of the Act if any portion be adjudged unconstitutional, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 161, A bill to be entitled "An Act making an appropriation out of the General Revenue of the State of Texas for the balance of the fiscal year ending August 31, 1934, to be used by the Texas State Parks Board, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 195, A bill to be entitled
"An Act making an appropriation to
pay for fuel, light, and water for the
Court of Civil Appeals, First Supreme
Judicial District, at Galveston, Texas,
and the Court of Civil Appeals, Sixth
Supreme Judicial District, at Texar-
kana, Texas, for the fiscal years end-
ing August 31, 1934, and August 31,
1935, respectively, and declaring an
emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 105, A bill to be entitled
"An Act appropriating \$25,000, out
of any funds of the State of Texas,
not otherwise appropriated, to be used
to pay additional expense of publica-
tion of eight proposed amendments to
the Constitution of Texas, and for the
subsequent holding of a general elec-
tion at which said amendments are to
be voted upon; said amount being
herein appropriated to be used as pay-
ment of any difference in the amount
of the costs of the publication of said
amendments and holding of said elec-
tion, over and above the amounts of
money already appropriated for said
purpose, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 121, A bill to be entitled
"An Act appropriating the sum of
\$1,200 for each of the two years be-
ginning September 1, 1933, and Sep-
tember 1, 1934, to pay the traveling
and living expenses of justices of the
several Courts of Civil Appeals in
hearing oral arguments in transferred

cases under the provisions of Chapter
151, of the General Laws of the State
of Texas, passed at the Regular Ses-
sion of the Forty-third Legislature,
and declaring an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HYDER, Vice-Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 100, "An Act making
appropriation for the support and
maintenance of the General Land
Office, and particularly making an
appropriation for a special audit to
be made by or under the direction
of the Commissioner of the General
Land Office of all books and accounts
of oil companies relative to the bonus
and rentals due on sold public school
lands, and declaring an emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, October 10, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. C. R. No. 20, Relative to ap-
propriation for Firemen's Training
School,

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

EIGHTEENTH DAY

(Wednesday, October 11, 1933)

The House met at 9:30 o'clock a.
m., pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the follow-
ing Members were present:

Mr. Speaker.	Baker.
Adamson.	Barrett.
Aikin.	Barron.
Alexander.	Beck.
Alsup.	Bedford.
Anderson.	Bourne.